

# HOUSING

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Vol. 20

JUNE, 1931

No. 2

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## THE ABOLITION OF SLUMS IN THE UNITED STATES

*By* LAWRENCE VELLER,

Secretary, National Housing Association.



The United States has probably the worst slums in the world. And following the much vaunted American slogan of "quantity production" it has apparently produced more of them than any other country. I know this is something that American people will not like to hear and that this statement will be deeply resented and strongly challenged throughout the United States. Notwithstanding this, the statement is true.

Writing of conditions in the city of New York 30 years ago, we said:—"In no city of Europe, not in Naples nor in Rome, neither in London nor in Paris, neither in Berlin, Vienna nor Buda Pesth, not in Constantinople nor St. Petersburg, not in ancient Edinburgh nor modern Glasgow, not in heathen Canton nor Bombay are to be found such conditions as prevail in modern, enlightened, twentieth century, christian New York."

We have all the kinds of slums they have elsewhere and, in addition, some peculiar features unknown in other countries. Like old-world cities we have miles of sordid streets, drab and monotonous in outlook. We have houses that are old, dilapidated and run down, damp, in bad repair, infested with vermin, without the essential conveniences of living, without water supply in the rooms, without sanitary facilities, with privies in the yard emitting their foul odors into the windows of the bedrooms and living rooms that adjoin them. We have back-to-back houses—rear buildings hidden away from the street with other buildings close against them—terrific land overcrowding in some

cities, room overcrowding in many. We have hundreds of thousands of rooms with no outside light or air. "Through" ventilation is almost unknown. We have houses by hundreds of thousands built of wood in which the poor live, constituting a fire menace to themselves and a great conflagration hazard to the city.

### SOME UNIQUE CONDITIONS

In addition to all these conditions that are found in the old-world cities, we have conditions of land overcrowding, high buildings and lack of light and air that are quite unknown in Europe and Asia, in fact, in any part of the civilized world. The slum problem in America is peculiarly complicated by the presence of numerous alien groups in the slums of American cities. We have not the racial homogeneity of most European countries. In Berlin slums the great mass of the people are Germans, in the Paris slums the great mass are Frenchmen, in London slums the great mass are Englishmen. But this is not the case in America. In no American city are the great mass of slum dwellers Americans, but represent every race and nation of the world, with habits of living that complicate the problem.

One of the difficulties in America in dealing with slums is found in the fact that no two people agree on what a slum is. Few of our public officials would for a moment admit that there were such things as "slums" in their city. Such officials seem to think that characterising any part of the city as a slum is a criticism of the people living in them and our politicians are slow to do anything that will give offence to any considerable number of voters in their community. Without attempting meticulous definition of the term, the "slum" as discussed here means what the average person understands a slum to be, *i. e.*, in a general way a section of a city that has deteriorated from one cause or another so that it is now in a state where it is disadvantageous to the inhabitants and to the whole community. We do not intend in any way that the term be understood in the sense in which it is defined in American dictionaries, *i. e.*, as a part of a city inhabited by a criminal or vicious population. There are such elements in some slums but there are such elements in the best parts of our cities. The great mass of the slums in America are occupied by hard-working, decent people—too many of them suffering from the handicap that their adverse environment imposes upon them.

It is strange that we should have slums in America. These old-world sores should have had no place in a new world—a land of promise and opportunity. The settlers of this country had *carte blanche*. But



behold what we have written upon that paper! Most people in America do not realise how old an institution the slum is. In the United States we have had slums for nearly a century. We have been conscious of them for nearly 80 years. It may very properly be asked why have the American people tolerated the growth of slums and why have they not done something to prevent them and to eradicate them?

### WHAT LIFE IN THE SLUMS IS LIKE

I think the chief reason for this is to be found in the failure of our people to understand the slum—to realise what it really means. When once the great mass of our citizens realise what life in the slum means to the slum dweller, the slums will cease to exist.

Have we ever, even in imagination, contrasted the day-to-day, night-to-night home life of the average well-to-do citizen with that of the slum dweller?

The average well-to-do man wakes in the morning in his large quiet bedroom, the air of which has throughout the night been freshened and tempered to his liking.

The slum-dweller wakes, unrefreshed, in the foul air of a small, badly ventilated room which he has shared with several others.

The average man steps into a comfortable bath that soothes and refreshes him, shaves and puts on clean, well-fitting clothes.

The slum-dweller on rising stumbles in the twilight of his dark room over the shake-down beds of one or two children, and perhaps several lodgers, before he can find space to stand while he crawls back into coarse garments reeking with the sweat of yesterday's toil, and he washes in a handful of water poured into a basin.

The average man goes into a dignified, pleasant dining-room to eat an appetising breakfast prepared for him by others.

The slum-dweller takes a chunk of butterless bread in his hand and, sitting or standing wherever he can find room, washes it down with a cup of indifferent coffee.

The average man with a sense of well-being lights his cigar and goes forth to his day.

The slum-dweller with a feeling of ill-will due to a sheer physical discomfort lights his pipe and shuffles down the ill-smelling hall of his tenement home.

The average man in agreeable surroundings has throughout the day varied and stimulating work, creative and with a purpose which he understands.



The slum-dweller throughout the day bends over one interminable, monotonous task, brutal in its demand and deadening in its effect.

At the end of his day the average man has his spin in a motor, his exercise or relaxation—probably another bath—puts on clean clothes, sits down to a good dinner, reads, play cards, or dances or goes to the theatre or listens to music until he is sleepy and goes to bed in a clean, warm bed in a clean, fresh room.

The slum-dweller at the end of his day hangs from a strap in a street car packed to suffocation, makes his dreary way from the crowded car past the garbage cans and refuse of the crowded street into the friction and discontent of his crowded home—to a wife discouraged by endless effort in a hopeless environment and children to whom his best efforts have been able to give only this pitiful existence. He eats, on the corner of the overcrowded kitchen table, a plate of food which he is often too worn out to enjoy.

All the conditions surrounding the average man have made for vigor of mind and body and peace and contentment of spirit. He has had the stimulus of choice and the gratification of accomplishment. He has been refreshed by beauty, harmony and order.

All the conditions surrounding the slum-dweller have made for discomfort of body and discontent of soul. He has no peace and no privacy, he has not even elbowroom, night or day. He sees no beauty and has no repose. His neighbor's washing shuts out his small patch of sky, and he must close such insufficient windows as his room may have if he does not want to hear his neighbor's quarrels. He works without inspiration and finishes his day without satisfaction or hope.

I am convinced that it is because we have never had these conditions brought home to us in our own person that the slum flourishes in America today.

The slum is exactly like a cancer on the body social and the body politic. It is a malignant growth. Like cancer if taken in time its development can be prevented. And like cancer we are generally conscious of it only when it is fully developed. But whether soon or late, the only remedy for it is the surgeon's knife, and the sooner it is out, the less serious the operation.

#### WHAT HAS BEEN DONE

Though we have been conscious of slums in the United States for 80 years, little or nothing has been done to get rid of them. I do not wish this statement to be understood as saying that America has done little in housing reform, for that is not true; America has done much



in housing reform; but this particular aspect of the housing problem it has been singularly slow in taking up. If one is to except a few casual, non-related efforts, not carried out according to a definite policy or programme, it would be a strictly accurate statement to say that the people of the United States have done little or nothing in the way of slum clearance.

The exceptions to this statement are that about 35 years ago in New York City several blocks in crowded quarters were condemned and cleared and their sites turned into small parks and playgrounds. In Boston a few years ago they cleared out portions of two or three blocks. In Cleveland they have condemned individual insanitary houses. In Washington they have cleared out a few alleys. In addition to these sporadic and unrelated attempts at removal of insanitary houses, there have been the day-by-day efforts of the local authorities in dealing with individual insanitary buildings. These efforts have been generally confined to declaring individual buildings to be nuisances and in a few cases ordering the buildings to be vacated. There have been very few cases at any time in any of our American cities where the local authorities have gone so far as to order the tearing down of individual buildings because of insanitary conditions. So the broad general statement that we have practically done nothing in slum clearance is accurate.

#### 48 SEPARATE GOVERNMENTS

It may well be asked why America—conscious of its slums for 80 years—has done nothing about it. To answer that question properly one must have an understanding of American political conditions. While from many points of view America is one nation, it is also a federation of 48 separate nations or states, each one of which is an *imperium in imperio*. The federal government (which to Europe is the United States) possesses only those powers which have been ceded to it by the separate states—each of our 48 commonwealths retaining to itself the power to deal with many things that in Europe are dealt with by the central governments. It would be quite out of the question in America for the slum problem or the housing problem to be dealt with by Washington to the extent or manner that it is dealt with by Westminster in England. Slum clearance and housing problems are rightly considered in America local problems to be dealt with entirely by the local authorities. In addition to this underlying basis of our country's structure of government, it should be pointed out that we do not have in the United States, what is common in Europe, government



subsidy of housing, nor do we have government housing—either by the federal government, by the states or by the local authorities. America is still a land of private enterprise. It is foreign to our principles of government, foreign to the accepted views of the American people, to have the government compete with private enterprise by providing houses.

In addition to this there are constitutional and legal difficulties that underlie the whole problem and that have to be dealt with on a different basis in each one of the 48 states. Each one of those independent governments is subject to its own constitution and its own laws and cannot be controlled by others. In Europe the situation is quite different.

### THE COST OF SLUM CLEARANCE AN OBSTACLE

A further reason why we have done so little in America in slum clearance is the cost of this work. Whenever slum clearance has been proposed in this country we have been staggered by the cost of it. In America when private property is taken for a public purpose full compensation must be paid; and not only full compensation but some bonus or extra compensation because the person's property is taken from him, contrary to his wishes. There are great abuses in most American cities in connection with the taking of private property for public purposes, so that it often costs anywhere from two to three times what the property is really worth. How heavy this burden on the taxpayers is will be realised when it is known that it would cost over a million dollars to acquire an ordinary city block in New York's lower East Side, in a district which has no other use than for working men's dwellings and which at the present time is suffering from a financial depression and has a great number of vacancies owing to the antiquated condition of the houses. This situation is by no means confined to New York; wherever an attempt has been made to consider slum clearance its proponents have everywhere been met by this difficulty of the heavy burden placed upon the taxpayers by the excessive cost of acquiring sites in slum districts.

Even if this obstacle of excessive cost could be met there would still remain great difficulties in the way of slum clearance. In the first place, it should be realised that it is neither the practice nor the desire of the local authorities, as yet, in any city of America to undertake the housing of the people. To the American people this does not seem a proper governmental or municipal function. We express no opinion as to whether they are right or wrong in that view, but the fact that it is their view cannot be gainsaid. In Europe, where a totally different



situation exists, this obstacle to slum clearance is not to be found; for there it is quite simple to order an area to be cleared of its existing houses with the definite plan of rebuilding new houses on the same site. But that cannot be done in the United States. The basic law, viz. the constitution, in practically every one of the states contains two provisions—one to the effect that private property cannot be taken for other than a public use, and the other that where private property is taken for such use it shall be fully compensated for. I am not quoting the exact words of these constitutional provisions but giving the essence of them, as they vary slightly in the different states.

#### LEGAL AND CONSTITUTIONAL DIFFICULTIES

It is thus seen that there are two almost insuperable obstacles to the successful carrying out of slum clearance as practiced in Europe. The local authorities are prevented from expropriating sites and developing them with new houses by reason of the fact that housing is not considered "a public use". While the courts have not yet given judgment directly upon this specific question they have indicated quite clearly, by a long series of decisions dealing with similar problems, that a public use is one in which *all* of the public may participate.

If therefore the local authorities in New York or Chicago or Philadelphia or any other of our great cities wished to expropriate private property in the slums, with the intention of building new houses on the cleared sites, any taxpayer could go to the courts and prevent the scheme being carried out on the ground that the property was not being taken for a "public use". Moreover the bonds issued for that purpose by the municipality would probably be declared to be void. This is the chief obstacle to slum clearance in the United States.

We have no doubt that it is within the power of our respective state legislatures to pass laws to enable local authorities to clear sites of slums and destroy the buildings there that are insanitary and unfit for human habitation on the ground that getting rid of these slums is a public purpose. But we do not see any way by which local authorities could themselves build new houses on the cleared sites, for the reasons that we have explained.

In some cases it is of course possible and highly desirable to devote the sites thus cleared to local parks and playgrounds, in other cases to street widening schemes or a rearrangement of streets as part of a comprehensive plan for the re-development of the older sections of a city. But the number of sites that can be thus used becomes rather quickly exhausted and there then remain vast stretches of territory now occu-



pied as slums and which must be dealt with. Therefore, before any effective scheme of slum clearance can be carried out in American cities it must be determined what use is to be made of the cleared sites. In addition, the cost of this work must be reduced, or otherwise it will impose burdens upon the taxpayers that the taxpayers are quite unwilling to assume.

### A PRACTICABLE PLAN

The writer has been urging in recent years the adoption of a plan by which he believes slum clearance can be carried out in comprehensive fashion and the major part of our slum districts done away with and new houses built on the site. This plan has been devised to meet the prevailing legal and constitutional difficulties and, we think, meets them adequately. The plan in essence is that the local authorities and private enterprise—the latter in the form of what is known in England as public utility societies—should go into partnership in the effort for slum clearance. After having secured a state act empowering the local authorities to proceed to clear slums as an exercise of the police power of the state and as something in the public interest, to couple with this power the right to sell to private individuals or corporations a portion of the land thus acquired and cleared, the portion sold to be used solely for the building of houses for rehousing the population under conditions and restrictions to be laid down by the local authorities.

The scheme contemplates that acting under such authority, the local authorities would clear the site (*e. g.*, of a specific block in a slum district), acquiring the entire property either by expropriation proceedings, the methods of which are very strictly laid down under the Constitution and the laws, or at private sale, or by either or both of these methods. Having acquired the property, which can be done fairly quickly, all the existing buildings would be razed and the site completely cleared.

Then the city would sell two outer strips along the length of the block; the strips would be about 32 feet deep, a sufficient depth on which to build model houses not exceeding two rooms in depth. As our ordinary city blocks are often 200 feet in depth and vary in length from 400 to 800 feet, this would mean that the site would then consist of two outer strips each 32 feet deep (which had been sold to a private corporation on which to build houses) and a space 136 feet wide by 400 to 800 feet long between them. This interior space would be reserved by the city and developed as a small park and playground, properly designed and planted with trees and shrubbery, with pleasant walks, in some



cases with fountains and even in some cases with playground apparatus of a type suitable to the smaller children.

A limited dividend corporation equivalent to the English public utility society, would then proceed to build model dwellings upon these two outer strips. They would be able to build on the entire land sold to them, as the land would be of no greater depth than would be just appropriate for the development of the right kind of houses, with half of the rooms fronting on the street and the other half of the rooms fronting on this delightful, interior small park that the city would develop. Such a scheme, we believe, would entirely meet the constitutional and legal difficulties involved in the prohibition of taking private property for other than a public use. It would also meet the financial difficulty, for it would reduce the cost of slum clearance by a very considerable amount, as it would be possible to sell off these outer strips at a price that would recoup the local authorities for a third of the cost of the land.

As they would not have to pay an excessive price for the sites acquired and would have nothing to pay for obsolete and antiquated buildings that had to be scrapped the limited-dividend corporation would find it feasible to build dwellings and rent them on an economic basis at rents that would not be beyond the purchasing power of the people whom it was desired to house. If this scheme that has been described as applying to a single block can be successfully developed, it would be possible ultimately to rebuild the greater part of our cities with attractive dwellings separated by charming and delightful vistas of gardens.

While no local authority in America has yet carried out this method of slum clearance, there seems to be some likelihood of its soon being put to the test. Such a plan was suggested about a year ago by the writer for the city of Newark, New Jersey, a city of 442,337 inhabitants across the Hudson River from New York City. Two blocks in a slum district in that city have been acquired by a great insurance company, the Prudential Insurance Co., which is desirous of ridding the city of slums and to that end has embarked on several model housing schemes. The local authorities have joined with the Prudential Insurance Company in just such a partnership as we have described, and unless prevented by the courts it is proposed to carry out this plan in the near future. That the plan proposed is a practical one, and one by which slum clearance can be achieved we have no doubt. We are frank to admit that without some such plan we see no way by which slum clearance can be achieved in the United States.



# THE ABOLITION OF SLUMS IN ENGLAND

*By* FRANK HUNT, C. V. O.,

Chief Valuer to the London County Council.



The problem of the abolition of slums is one of widespread importance, not only as between the various nations of the world but also as between communities of varying sizes. Although the condition of individual houses may be worse in other cities, the problem in its most aggravated form and as one menacing public health is perhaps worse in the largest centres of population within congested and continuous developed areas. By reason of my own special experience with regard to London, the bulk of my examples will be drawn from this area, which is by far the largest centre of population in the British Isles. The population inhabiting the area of the County of London, that is, under the jurisdiction of the London County Council, is, on the basis of the Census of 1921, about 4,500,000; but as everywhere, development is no respecter of local government boundaries and London now extends more or less continuously over a much larger district, for about 30 miles north to south and a similar distance east to west with a population estimated at about 8,000,000.

In considering such a large area from the point of view of the slum problem, one must have regard to the fact that until 1840 the centre of population known as London was a relatively restricted one. The closely developed portion of what is now the County of London was limited to an area with a radius of about 2 miles from St. Paul's Cathedral, and had a population in 1801 of about 750,000, the whole of what is now the County of London having then a population of less than 1,000,000. It was after the year 1840 that the great increase in development took place; in the period between 1841 and 1921 the population of London itself more than doubled and the population of the outer area of Greater London increased tenfold, from under 300,000 to just on 3,000,000.

The development of local government functions throughout this period has also had a marked effect upon the creation of districts roughly described as slums. In the earlier period there was little, if any, control over the erection of houses in order to ensure healthy con-



ditions; the main purpose of such regulations as did exist was to ensure safety from fire. Doubtless the experience of early years, culminating in the great fire of 1666, was responsible for this trend of regulation. After 1855 there was considerable development in local government organisation and corresponding control over the erection of additional houses, with the result that, generally speaking, none of the areas that now call for attention owing to slum conditions are condemnable on the grounds of bad lay-out or faulty construction. The unsatisfactory conditions to which attention is especially drawn today are to be found in the areas that were originally developed in the early years of the last century.

From my own observations in other cities and countries of Europe I have concluded that the same is true there, namely that slum conditions exist in the older parts of those communities.

### TYPES OF SLUMS

In the first instance, one ought to have some conception of what is meant by a slum and for this purpose one might refer to a standard dictionary for a meaning. Murray, for instance, defines a slum as "a fully populated neighbourhood where the houses and conditions of life are of a squalid and wretched character". This, while true as a dictionary definition, is not sufficiently good for practical work. A little further consideration will lead one to the conclusion that slums and slum conditions exist in at least three different forms. The first type concerns the occupation and the structure of individual houses. This type is most frequently found in the case of houses originally well built for occupation by one family with ample means. Change of circumstances in the locality and the subsequent movement of fashionable residents lead to these premises being in the first instance occupied by two families without any structural alterations or any additional provision for sanitary arrangements, water supply, etc. This process continues so that in time a number of families may occupy the one house. One frequently finds a whole series of houses of this kind where each individual room is let to a separate family. The second type is where additional housing accommodation has been erected in close proximity to existing buildings; these latter, being structurally sound, would have continued to be suitable for the working classes if the additional buildings had not been constructed. The third class comprises an area where owing to a variety of causes, such as the closeness, narrowness and bad arrangement of the houses, the bad construction of the houses themselves, and the introduction of more recently constructed buildings

into the area, the conditions are such that, taking the area as a whole, the houses are either unfit for human habitation or are dangerous and injurious to the health of the people living there and to the locality around. To remedy these conditions it is necessary to clear the whole of the existing buildings and to reconstruct the area.

#### RESPONSIBILITIES OF TENANTS AND LANDLORDS

In the English procedure the responsibility for remedying these conditions is sought to be placed upon those having a direct interest in the matter. So far as the condition of the individual houses or groups of houses is concerned, there has, in the first instance, been a development along the lines of placing the direct responsibility upon the occupiers for conditions that are within their power to control. For example, the local sanitary authority is, under the Housing Acts and under the Public Health Acts, empowered to make by-laws regulating the sanitary conditions of houses for occupation; in the case of houses to be used by persons of the working class, and particularly those occupied by members of more than one family, special by-laws can be made. In the by-laws made by the L.C.C. under section 6 of the Housing Act, 1925, and confirmed by the Minister of Health in 1926, there are provisions imposing, apparently for the first time, a direct obligation upon the occupiers to do or refrain from doing certain things; these obligations are necessary for preserving reasonable sanitary conditions. As an example the following by-law may be quoted:

Every tenant of a lodging house shall—

(a) Keep thoroughly clean and wholesome every yard, area, staircase, landing, passage, water closet, washhouse, scullery, sink, and bath used or available for use in common by two or more lodgers, or members of two or more families.

(b) Where any beds, bedclothes and bedding are furnished by him for the use of any lodger or member of his family, provide the same in a clean and wholesome condition and free from vermin.

(c) Not let any room therein unless the room and the fittings and appliances therein are in a cleanly condition and free from vermin.

(d) Cause every receptacle for dust or refuse (other than a receptacle belonging to any lodger or to the use of which any lodger is exclusively entitled) used in common by two or more lodgers or members of two or more families to be maintained at all times in good order and in a cleanly and wholesome condition.



(e) Keep in good order and repair all window cords and fittings of the windows in the lodging houses.

Owners have a direct responsibility for seeing that the premises occupied by persons of the working class are maintained in a proper sanitary condition. So much is this the key-stone of this class of legislation that section 1 of the Housing Act, 1925, enacts that within certain limits of rental value, which for the purpose in question is intended to cover houses generally occupied by persons of the working class, there shall be implied a condition that the house at the commencement of the tenancy shall be in all respects reasonably fit for human habitation, and an undertaking that the house will be so kept by the landlord during the tenancy. This responsibility of the landlord was further emphasised in the rent restriction legislation that was introduced to control rents in the difficult periods following the year 1914. The power to obtain the permitted increases on pre-1914 rents was subject to the premises being kept by the landlord in a reasonable state of repair. If this were not done and the tenant secured, on an application to the magistrate, a certificate that the premises were not so kept, the legal increase in rent was not permitted.

#### RESPONSIBILITIES OF LOCAL AUTHORITIES

The responsibility resting upon local housing and sanitary authorities is much wider. Under the existing legislation the local authority has a specific duty to review the housing conditions in its area and to cause inspection to be made from time to time with a view to ascertaining whether any dwelling house therein is in a state unfit for human habitation or dangerous or injurious to health, and if necessary to prepare and submit to the Minister of Health proposals for the provision of new houses for persons of the working class.

As a result of these powers the local authority may deal with unsatisfactory housing in several ways. In the first place where an area is so bad that nothing short of demolition will get rid of the unsatisfactory conditions, the local authority may declare it to be an area for clearance. In that event they may proceed on the assumption that the duty of clearing the insanitary conditions should be enforced against the owners by requiring them in a limited period to remove the insanitary buildings. The alternative course is for the local authority to determine to purchase the property and thus to give effect to the clearance. In the first instance the owners receive nothing for the

value of the old buildings as such and are left with the bare site, which they can only re-use for building purposes in accordance with provisions for reconstruction to be approved by the local authority. In the event of the local authority determining to purchase, the owners receive nothing more for their property than its cleared site value as capable of being developed in accordance with the local by-laws. If, however, the local authority determine that, in lieu of those destroyed, new dwellings for persons of the working class are needed on the cleared site, the sum to be paid to the owners would only be the site value for housing purposes.

If the local authority determines that the clearance area, or a number of clearance areas closely related to one another, do not permit of a proper reconstruction scheme, the local authority may acquire—by compulsory powers if need be—the intervening and surrounding property although this is not unfit for human habitation or dangerous or injurious to health. This provision permits the carrying out of a comprehensive scheme. The ordinary terms of compulsory expropriation are paid for the property fit for habitation.

The second course open to a local authority is to require an improvement in a district where conditions are dangerous or injurious to health but where a demolition of all the properties concerned is not necessary to improve the conditions. In such cases the local authority can obtain the demolition of buildings that obstruct light and ventilation in an area, and open up means of communication through it. They can also prepare, and require the owners to effect, a schedule of improvements to the individual houses not to be destroyed, and can enforce by-laws limiting the number of persons occupying the houses, so as to remove from the houses that are left standing the reproach of overcrowded conditions; the cost of remedying conditions under this procedure is cast upon the owners of the property.

The third type of case is that of individual unfit houses. The procedure here relates to the improvement in the house itself, and the removal from such premises of surplus population so as to reduce the degree of overcrowding. It may happen even with individual houses that the conditions cannot be improved or the house rendered fit for occupation at a cost that might be considered reasonable, and in the Housing Act, 1930, separate procedures are provided for dealing with houses classified as being repairable at a reasonable cost and for those that are not. In this connection it is useful to have in mind the statutory definition of what is now covered by the term "sanitary defects". This is provided for in section 62 of the Housing Act, 1930, as including



lack of air space or of ventilation, darkness, dampness, absence of adequate and readily accessible water supply or sanitary accommodation, or of other conveniences, and inadequate paving or drainage of courts, yards or passages. Similarly in determining for the purpose of the 1930 Act whether a house is fit for habitation, regard is to be had to the extent to which by reason of disrepair or sanitary defects the house falls short of the provisions of any by-laws in operation in the district, or of the general standard of housing accommodation for the working classes in the district.

#### GOVERNMENT ASSISTANCE

The central authority has also assumed direct responsibility for remedying housing conditions. Prior to 1919 the clearance of slum areas, as indeed the provision of new housing, was a distinctly local government duty, with no contribution from state funds towards the loss involved. In the reconstruction periods following the years 1914-18, when the provision of houses was greatly needed, the state encouraged the local authorities to take action and made provision for contributions from state funds towards the loss involved. This was extended to 50% of the loss involved in slum clearance, which included the provision of new housing accommodation in lieu of that destroyed. This necessarily involved a large amount of supervision on behalf of the Treasury, which did not always operate smoothly as between the central and the local authority and did, at any rate, involve a large amount of overlapping. It had for some time been urged that some other method of affording this assistance from the state should be devised, and the Housing Act, 1930, is an attempt to substitute a capita-tion grant to the local authorities in respect of each person removed from insanitary housing conditions under the provisions of the 1930 Act, and in respect of whom new dwellings, affording accommodation for an equivalent number, are provided by the local authority. This grant amounts to from £2 5s. to £3 10s. per person per year for 40 years. The State's interest in slum clearance is therefore a substantial one and it is estimated that since 1919 its liability incurred for subsidies for this purpose would, if capitalised, be equal to about £10,000,000.

#### TERMS OF COMPENSATION

In considering the code of English legislation in connection with slum clearance it must be remembered that the basis of it is the removal of a public nuisance that is dangerous or injurious to health. The criticism directed against the special terms of compensation, which are

admittedly of a penal nature, must be regarded from that point of view. It is not correct to suggest that if land is being taken for such a public purpose its market value should be paid. The local authority does not take slum property merely for the sake of purchase or indeed for the purpose of providing sites for buildings; the statute compels local authorities to take the property if the premises are dangerous or injurious to health. And as one of the essential preliminaries for the submission of such a scheme is that the local authority must satisfy the Minister of Health that other housing accommodation is or will be made available for persons of the working classes to an extent equivalent to that being destroyed, they are assuming a heavy responsibility for the erection of new accommodation. As it has not been possible since 1919 for such housing accommodation to be provided except at a substantial loss, the land passes into the hands of the housing authority on conditions that involve a big financial liability as regards rehousing, and it would appear to be not inappropriate in these circumstances to fix the price to be paid for the property—condemned as a public nuisance—on the basis of its value in the hands of the local authority subject to the big statutory liability referred to.

#### SOCIAL RESULTS

The question naturally arises as to whether efforts on the lines indicated can be justified in the results. The process, apart from any legal technicalities, of which we have had more than sufficient in the last few years, is obviously a slow one, as it must always be where persons and not things are being dealt with; but the experience gained by following the fortunes of families removed from slum conditions affords every encouragement to local authorities to proceed with the task of ridding the larger centres of population of these older and insanitary districts. Experience, so far as London is concerned, shows how admirably a very large percentage of the families removed from insanitary housing conditions respond to their new environment; and where it is practicable for some of them to remove to the cottage estates situated further from the centre their pride in the garden engendered by the opportunities for cultivation which such estates afford, operates as a wonderful counteracting influence to the degrading effects produced by the sordid conditions of their old surroundings.

Fifty schemes have been undertaken by the London County Council, covering 196 acres and displacing 59,000 inhabitants. The cost of rehousing will amount to about £7,000,000 and the cost of acquisition and clearance will amount to about £2,500,000.



# THE ABOLITION OF SLUMS IN THE NETHERLANDS

*By* ARIE KEPPLER, C.E.,  
Director of Housing Service, Amsterdam.



At the tenth International Housing Congress held at Scheveningen in September, 1913, Mr. Hudig submitted for Holland a Report treating of the problem of "amelioration", "elimination" and "replacement" of slums. I shall return to this Report, as it includes the answers to questions that are today presented anew.

## THE LEGAL MEASURES

THE AMELIORATION OR REHABILITATION OF DEFECTIVE OR INSANITARY DWELLING PLACES. If a dwelling place is unfit for habitation, the Mayor and Aldermen are authorized to summon the owner of the property and order him to improve it. In such cases they act under the advice of the Health Council. The owner has a right of appeal to the Municipal Council. In addition the Health Council is called upon to submit on its own initiative recommendations concerning improvements that should be carried out. Loans at moderate interest may be granted by the municipality to owners ordered to improve their properties. In their turn, the municipalities may obtain the amount of such loans from the State. If the improvements demanded are not carried out, a declaration that the house is unfit for habitation is inevitable.

DECLARATION THAT A DWELLING IS UNFIT FOR HABITATION. If a dwelling cannot be put in habitable condition, it is ordered to be vacated, the order issuing from the municipal council on the basis of the representations made to it by the mayor and aldermen.

The recourse to the Health Council is compulsory. This Council has power to render decisions on questions relative to the finding that a dwelling is unfit for habitation. It can appeal to the Permanent Commission of the Provinces in the event of differences of opinion with the Municipal Council. A similar right of appeal to the Permanent Commission is enjoyed by the owner. The Crown is empowered to annul decisions of the Municipal Council.

Vacation orders must be complied with within the designated period of time or the vacation will be effected by force. A placard is

attached to the building, bearing the inscription "Dwelling Declared Uninhabitable". Everybody except the tenant occupying the dwelling at the time this declaration is made is forbidden to remain there after this official placard is affixed.

The burgomasters and aldermen are authorized to forbid the occupancy of a dwelling, and to take steps if necessary to bring about its demolition. The owner receives no compensation beyond such sum as may be realized through the tearing down of the building. The prohibition of occupation may be annulled in cases when the required improvements have been carried out.

COMPENSATION TO EVICTED TENANTS. The municipal council is authorized to pay to evicted tenants compensation—payable by the city—to cover moving expenses and, where the case warrants it, for interference with business by having to vacate the premises.

COMPLETE OR PARTIAL CONDEMNATION OF INSANITARY QUARTERS OR DISTRICTS. A decision to condemn dwellings may be taken by the Municipal Council, subject to the approval of the Crown, in the following cases:

(1) If by reason of inadequate light and air or the absence of other factors that make the dwellings fit for habitation, coupled with the situation of the building and its relation to neighboring buildings, it would be difficult to achieve effective improvements in any other way;

(2) If the removal of one or more dwellings is involved under conditions that make it difficult to effect improvements, owing to their location or to the presence of neighboring buildings that interfere with the scheme;

(3) If there is involved the removal of one or more buildings irrespective of whether they are habitable or not or whether they are used as dwellings—and they stand in the way of making other dwellings in their proximity habitable.

In the first case the Health Council is required to submit a detailed report concerning the condition of the dwellings in question and the available accommodations in neighboring buildings for the persons to be displaced.

#### SLUM CLEARANCE IN PRACTICE

Insanitary houses were dealt with even before the Dutch Housing Act came into effect in 1902, and prior to that date proceedings were instituted in various localities against defective buildings. Problems connected with the improvement of unhealthy quarters or districts have



had the attention of the authorities since 1850-1860. In a survey issued in 1854 by the "Koninklyk Instituut van Ingenieurs" (Royal Institute of Engineers) a great number of insanitary quarters were listed and designated with the term "known to be in bad condition". The greater part of these are still undisturbed or only just beginning to be considered for demolition after an interval of 80 years!

The English Housing Act, passed in August, 1930, classifies slums in three groups:

- (a) districts to be completely torn down and rebuilt;
- (b) districts to be partly torn down and partly improved;
- (c) districts that present isolated cases of defective buildings.

This classification could also be applied in the case of Dutch communities. Before this classification of slums in three divisions can be intelligently carried out, however, it is necessary to conduct a systematic survey of all the houses in the city. Several communities, among them Amsterdam and Arnhem, are at work on such systematic surveys of their dwellings at the present time.

In Holland it would seem there are few quarters destined to be completely torn down and rebuilt. Most of the districts fall within the second and third groups. With regard to the quarters that should be partly torn down and partly improved, here is what is being done in the city of Amsterdam. All buildings are inspected by the city authorities and dwellings are classed in three groups according to whether they are uninhabitable, capable of improvement or are in good condition. This expert study and analysis is indispensable before a conclusion can be reached as to which buildings should be condemned and what parts of a quarter can be preserved. At times it is necessary to demolish buildings otherwise in good condition in order to carry out a satisfactory general improvement of the entire quarter. On the other hand, it often is not necessary to expropriate all the buildings in a given district, the expropriation may be limited to those buildings that must be removed before a proper reconstruction scheme can be carried out.

After condemnation has taken place and the State has agreed to furnish the capital necessary, three experts are named—one by the Minister of Public Works and Finance, the second by the Commune and the third is chosen by these two. These experts proceed to determine the value of the land acquired by the community through expropriation. This is done when the property has been cleared and is ready for development.

Compensation is based on the market value. If the three experts are not in accord, each makes a separate valuation and the average value is adopted. If the property comprises a number of houses entirely unfit for occupancy, the compensation paid is based on the value of the land plus the value of the old building material. In buildings in good condition full market value is paid.

The capital furnished by the State for the purchase of the property is repayable in annual payments extending over a period of 50 years. The State, however, grants to the local authority an annual subsidy equal to one-half of its yearly payments. If the improvement of the property taken over by the local authority proves financially successful, the annual subsidy paid by the State is reduced so as to equalize the ultimate cost to the State and the local authority.

In Amsterdam the lands taken over are as a rule let on long leases, although outright sales of small importance may be made. The terms of the lease and the restrictions and regulations governing new construction on the leased lands must conform to the general city plan. The height of buildings, the type of dwellings and permission to establish industries are regulated by special ordinance. The plan of the new quarter must harmonize with the general city plan.

In Amsterdam a general housing improvement plan as well as a general traffic improvement plan are about to be adopted by the municipal council. Schemes for the improvement of a particular district must be considered in relation to the general city plan. It is considered a point of great importance to conserve the character of each district that is best suited to its location and surroundings.

### HOUSING THE EVICTED

No expropriation and no eviction of the population may take place until provision has been made for rehousing them, although in Holland this provision is not prescribed by law. If there is a shortage of a certain type of dwelling the authorities feel obligated to take steps to meet the housing shortage.

First of all it is the aim of the authorities to provide living quarters for families evicted as a result of measures taken in slum clearance. These families may be divided into 3 groups as follows:

- (1) Families able to pay an economic rent;
- (2) Those whose income does not permit them to pay more than a part of such rental;
- (3) Undesirables—whose housing must be handled in certain ways treated of in my Report to the Congress at Paris in 1928, and therefore not amplified in the present paper.



A great number of families belonging to the first group are able to secure living quarters for themselves. Where this cannot be done, the authorities are called upon to put new dwellings at their disposal. A certain number of families belonging to the second group will seek shelter in another slum, although for most of them a place to live in will have to be put at their disposal at a rental lower than the logical figure. This rule is followed in large measure in Amsterdam.

The people evicted from insanitary quarters are enabled to establish themselves in the outskirts of the city in individual houses, generally newly built. This step has encountered plenty of opposition in Amsterdam. Many housing reformers take the stand that the newly constructed dwellings should be rented at figures not representing a loss and that municipal dwellings constructed in former years should be used for the evicted families.

So far, the principle of placing newly built houses at the disposal of the evicted families has been followed in Amsterdam and has worked out well. Most of the former slum residents fully appreciate their new surroundings. The State furnishes the capital for the construction of these new dwellings by virtue of the Housing Act, and at the same time it shoulders half of the deficit, the other half resting as a charge upon the Commune.

The dwellings in question may be rented only under the following conditions:

1. To families evicted from slums declared uninhabitable, or from dwellings condemned by the march of improvements;
2. To families who have been occupying a dwelling not in satisfactory condition;
3. To families living in overcrowded dwellings.

But in all these cases the income of the families must be so limited that it would be impossible for them to occupy dwellings at higher rentals.

When a slum clearance scheme is under consideration provision must be made for the rehousing of families who for one reason or another are obliged to live in that particular quarter or its immediate vicinity.

#### PREVENTIVE MEASURES

Measures to prevent the formation of slums undoubtedly constitute one of the most essential requirements of our time. Effective means have not yet been applied in Holland; but the question has already aroused a great deal of interest.

Regulations regarding living conditions and the maintenance of dwellings—together with energetic supervision and surveillance of construction operations—are preventive steps that will go a long way towards preventing slums from coming into being.

But the formation of slums may be best prevented by a rational grouping of the population through Zoning and by a comprehensive and well-conceived town plan.

Large families should be lodged in individual dwellings and not in tenements or flats. The damage to premises resulting from the housing of large families in tenements and flats contribute to the formation of slums.

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Having presented a sketch of what is being done in Holland in connection with the elimination of slums, let me add a few statistics.

Dwellings declared unfit for habitation between the years 1902 and 1929 in the entire kingdom, 25,148; in Amsterdam, 5,475.

Capital furnished for the elimination of slums not involving expropriation:

19 advances to Communes.....	1,327,667.	florins
2 advances to Housing Societies.....	13,011.	“
Total.....	1,340,678.	“

Capital furnished for the elimination of slums involving Expropriation, disbursements:

Amsterdam (3 advances).....	2,045,581.	florins
Tiel .....	14,536.	“
Sint Maartensdyk.....	8,500.	“
Total.....	2,068,617,455.	florins



# THE ABOLITION OF SLUMS IN COPENHAGEN

*By* K. BJERREGAARD,

Director of the Municipal Housing Department, Copenhagen.



In the year 1853 Copenhagen was afflicted by a severe epidemic of cholera. About 5,000 inhabitants died out of a population of about 150,000. The mortality varied very much in the different quarters of the town. In the sparsely populated outlying districts it was much lower than in the central parts of the town, and even in the latter it varied very much. The average death rate in the older part of the town was 41 per 1,000; but in the street with the densest population—which also had the most miserable houses—the death rate rose to 87.

A measure that proved to be very effective during the epidemic was the removal of the dwellers from some of the most overcrowded houses in the town. Though the conditions that could be offered to the displaced persons were not favorable—as it was necessary to house them in tents—and though some camps were on a low and rather unsuitable site, only a few of the displaced people caught the cholera, and the majority of these cases occurred during the first few days. In view of this happy result the special Health Committee, appointed in connection with the epidemic, suggested that the municipality build a number of permanent, light frame houses for the working class. The municipality referred the matter to private enterprise.

The Medical Union which had done great work in combating the epidemic, took up the question of housing. A site in one of the outlying districts and later another site were conveyed to them by the municipality. Two-story buildings containing 727 dwellings in all were erected during the following years, each dwelling containing from 1 to 3 rooms and kitchen. The houses are surrounded by large, open areas and the flats are still serviceable and in demand. This first attempt at a remedy dealt with one side of the problem only, the provision of better dwellings for the poor. But no attempt was made to deal with the demolition of old, miserable buildings, nor would the Union have been able to do much in this respect owing to the small means at its disposal.

## LEGISLATION

Powers to effect the clearance of slum districts were obtained in Denmark by the Acts of 1887, 1898, and 1908. If the municipality itself

carries out the demolition and reconstruction of congested and unhealthy districts, or if the work is carried out in accordance with a scheme sanctioned by the municipality, the Minister of Finance is empowered by the Acts to grant loans to the municipality against such security as he thinks fit, if he is of opinion that the scheme is of essential importance to health. The first two mentioned acts were intended to apply particularly when good dwellings for the working-class, or buildings that in other ways contribute to their welfare—for instance buildings for schools, washing or bathing establishments, public reading-rooms, etc.—are thereby provided. Municipalities were empowered to carry out the necessary expropriations (in accordance with the regulations of the Act of 1857 for roads, etc., in Copenhagen), the compensation to correspond to “the true market value” of the property.

The municipality of Copenhagen has made use of the provisions concerning loans but not those concerning expropriation for housing. The demolition of unfit dwellings has been effected as part of general street improvement schemes. For such schemes the municipality has for many years had the right of expropriating property under various acts. The Act of 1929 now in force gives the municipality power to expropriate “sites, buildings . . . owned by private persons, and which prevent an improvement scheme for the rearrangement of streets, squares, roads, tramways and other means of traffic in the town”. Compensation is assessed in accordance with the Act of 1857—i. e. at the market-value.

The various expropriation acts since 1897 have given the municipality the right of expropriating houses, to enable them to ensure a satisfactory regulation of the buildings along or between streets, the construction or widening of which are in question. These provisions give the municipality wide expropriation powers when new thoroughfares are made in the old parts of the town; for the satisfactory regulation of the buildings in new streets requires the demolition of old, miserable properties for considerable distance. But as “the true market value” must be paid for old, ill-planned and very badly kept houses, the municipality has to pay exorbitant prices. Houses of this kind are in fact worn-out; but as long as they can be let, they find buyers at prices that are much too high. It is possible that the prices in such cases are stimulated by the fact that the purchasers know that if the municipality wishes to acquire a property it must pay the “market value” although their object is to demolish it as no longer fit for human habitation.



## 1918 HEALTH ACT

The 1889 Building Act lays down the minimum stipulations for rooms intended for occupation that are built after the act has come into force, but does not deal with rooms built before that. Provisions concerning the latter are contained in Section 65 of the 1918 Health Act. These enable the health committee to order the owner to close rooms used for occupation at night or for workshop purposes if the rooms do not comply with the 1889 Building Act and if the committee find the existing use of such rooms injurious to health and the sanitary defects cannot be removed. Section 66 enables the health committee to order that unfit or unclean dwellings or workshops be put into good condition. If the order is not obeyed, or if the defects cannot be remedied the committee may close the premises. Section 67 provides that if a dwelling is so overcrowded that it is detrimental to the health of the occupants, the health committee shall be empowered to prohibit the inmates from housing persons who are not members of their household. If after this reduction the number of occupants is too large the health committee may order the owner to give the occupants notice to quit, and if necessary cause their removal to be effected, and may fix the maximum number of occupants permitted. The decision as to whether a dwelling is overcrowded or not is made by the health committee; no dwelling must have less than ten cubic metres of air space per adult person or child (twelve cubic metres in basement or ground floors). A housing inspection service was instituted on 1st January, 1921, to see that the above regulations were complied with, but it has been possible to operate only to a small extent owing to the housing shortage. In spite of these scanty provisions there are but few quarters in Copenhagen that can be characterised as slums and they are not of any considerable size. These quarters are due to two main causes, viz. dilapidation due to age and insufficient repair and inadequate building regulations.

Copenhagen has been devastated several times by great fires, and therefore there are few very old houses. But some in the centre were saved from the fires, and the greater number of these houses are of antiquated design, have bad staircase arrangement and low ceilings and are very closely packed on the land. During the war and the following years a great number of poor foreigners moved into these districts and they became heavily overcrowded.

## SLUM CLEARANCE SCHEMES

In 1898 the municipality of Copenhagen appointed a committee to consider the reconstruction of unhealthy districts and the improvement

of thoroughfares where necessary. As there was then a housing shortage in Copenhagen—in April 1897 there were only 1,416 vacant dwellings while the population was 345,000—the authorities also began to consider the question of procuring new dwellings in the place of those condemned. A committee was appointed to prepare and submit schemes. During the following years the municipality expropriated a great number of the oldest and most miserable houses. Some were demolished at the beginning of the century and after the new streets had been made the sites were sold. As the sites were in the central part of the town they were not suitable for the building of dwelling-houses and they have been used for the building of a new district that is mainly commercial.

The question of procuring dwellings for rehousing did not cause any difficulty, as there was brisk building activity at the beginning of the century. The better-off sections of the population tended to move into the new houses and their places were taken by those who had been evicted owing to demolitions. This was not quite satisfactory, but it did enable some improvement in the housing of the poorest. The most miserable of the houses that had not been demolished became partly depopulated during a period that was favorable to the tenants; the result was a heavy decline in the population of the central parts of the town.

Building activity had, however, been too great. In 1907, when the population was 438,000, more than 10,800 dwellings were vacant, which, of course, involved the rents in new houses falling too low in proportion to building costs. The result was a series of bankruptcies of builders and the failure of banks that specialised in financing building operations; and in the following year building activity in Copenhagen ceased almost entirely.

In 1914 the number of vacant dwellings declined to 1858. The war at first stopped building activity and later on caused an extraordinary rise in the cost of building, while at the same time there was a great immigration from the country to the capital. The housing shortage that resulted stopped the improvement of the old parts of the town and became so serious that the municipality had to provide for a great number of homeless families. For some time it was necessary to utilise schools; later on accommodation was provided partly in temporary barracks and partly in new dwellings, often two families in each two-roomed flat.

In these circumstances it was impossible to demolish the expropriated houses and it also became necessary to prohibit private individuals from demolishing dwellings. The depopulation of the old town



almost ceased. When things were at their worst more than 2,200 families were housed in the municipal quarters for homeless people. They were mainly difficult tenants, who had been evicted because of inability to pay rent, or were turbulent, or caused trouble owing to their large families. Although housed in new buildings the congestion of two families in each flat affected them in the same unfortunate way as if they lived in an old slum district.

## REHOUSING

The principal problem to be met was consequently that of providing each family with a separate dwelling, and for this purpose the municipality has since 1916 built about 10,000 flats, most of them small. About 6,000 families have been transferred to these from the quarters for homeless people, leaving about 600 families there still to be dealt with; it is difficult to provide them with dwellings of their own because the majority of them are so poor that they are unable to pay a normal rent.

The problem of whether occupants of the slum-districts should be re-housed in the same part of the town or in the outlying districts has caused no difficulty. As the cleared area is in the centre of the town it would have been absurd to use it for anything but buildings for business purposes. The districts that now have the greatest need of improvement are also in the centre and there cannot be any doubt that the natural thing will be to use these for business purposes when cleared. A very desirable improvement of traffic conditions is obtained by demolishing old houses in these districts, and the authorities would no doubt have started this work long ago—the municipality has already acquired a great number of condemned houses—if the housing shortage had not put obstacles in the way.

According to the municipal statistical bureau there were in October, 1930, only 190 vacant flats in Copenhagen, which has now a population of about 605,000 inhabitants. The demolition of existing dwellings, be they ever so miserable, therefore creates the very difficult problem of providing dwellings for re-housing. The condemned dwellings are the most miserable, but their rents are the lowest in Copenhagen. The majority of the occupants would be quite unable to pay the rent for a normal new dwelling if the rent is to meet the cost. Even if very small and simply equipped dwellings were provided, the rent would be considerably higher than that charged in the old houses—where, by the way, rent is restricted by legislation. The erection of

such simple dwellings would involve enormous financial risk, as it must be supposed that it would be difficult to find tenants for them in normal times. Their erection would therefore be undertaken only by the authorities, but there is the decisive objection that by gathering slum people together in new houses the seeds of a new slum district would be planted. The question may therefore be raised whether the authorities should provide a certain number of normal dwellings to be let to slum dwellers at cheaper rents. This method cannot be regarded as expedient, as naturally other citizens of the same wage-levels would demand the same rights to obtain modern but particularly cheap dwellings.

Financial reasons make it almost impossible in Copenhagen to provide dwellings in cottages even for families with many children. The building cost of a cottage without any special equipment is about 35% higher per square metre than that of a dwelling in a 5-story building, and when regard is had to the greater cost of the site for a cottage, the cost is about 50% more.

It would be extraordinarily difficult to clear slum districts in a period of housing shortage, but hitherto periods of shortage and of ample supply have alternated. At present there is very brisk building activity, which should lead to a period of ample supply of dwellings. Such a period ought to be chosen for the abolition of slums, for it would be possible for the occupants to obtain dwellings themselves; this is of importance for getting slum dwellers distributed among the rest of the population.

### INADEQUATE BUILDING ACTS

Another cause of slums is inadequate building legislation. The first Copenhagen building law was that of 1856, the next was 1871, and the next 1889, which is now in force. A considerable number of buildings on an extremely unfortunate "corridor" system were erected under the law of 1871. The dwellings are built along each side of an interior corridor, often more than twenty metres long, with a staircase at each end; they cannot be ventilated properly and the corridors get light from the staircases only. The air is close, the buildings are unhealthy and liable to catch fire and the heavy congestion of people gives rise to unfortunate moral conditions. Dating back to the same period are a number of dwellings on sites that extend to a great depth from the street. As no restrictions were imposed on the lots to prevent them from being badly developed, additional buildings were erected behind those facing the street, with small court-yards between them.



The municipality has been able to improve districts in the centre without incurring a too exorbitant expense, owing to the rise in site values after the necessary street improvements had been carried out. But the problem becomes more difficult when dwellings such as were erected in the suburbs after 1871 are in question, as these districts contain a far greater number of dwellings and the sites are of no great value after the demolition of the houses. If compensation is to be in accordance with the market value of properties, the problem becomes almost insoluble.

But the question arises as to whether it is reasonable that the community shall be fettered for an unlimited time by the unfortunate regulations of an old building act. The owners maintain that they have bought the properties in the belief that their continued utilisation was legalised and that it would be unjust to leave them to suffer loss in consequence of the unfortunate legislation of earlier times. Though some weight must be given to this argument, it can hardly justify any other course than the granting of a rather longer respite before the liquidation of these conditions; it cannot be deemed necessary that the community should tolerate the existence of miserable dwellings until they have become so old that they fall to pieces.

# THE ABOLITION OF SLUMS IN NORWAY

*By* HAROLD HALS,

Director of the Municipal Building Department of the City of Oslo.



It is not possible to approach the solution of the slum problem in Norway from the standpoint or the conditions that prevail in the larger countries of the continent. Conditions differ fundamentally, and the Norwegians may say with some degree of self-congratulation that they are not confronted with the problems common to the more southerly nations—or at any rate not to the same extent.

Most of our cities have developed from groups of small houses owned by their occupants. As the townships gained in size and importance, these one-family houses gave way to multiple dwellings, but as a general rule a certain proportion of the original patriarchal ownership and occupancy of family residences has survived with a tenacity fostered by tradition. Notwithstanding this, in the larger towns—and in these we include those having a population of 50,000 and upwards—quarters or sections have developed where the poorer classes have congregated and where lack of proper care and inadequate maintenance of the houses have led the sanitary authorities to declare the dwellings ripe for demolition.

## UNSATISFACTORY RESIDENCE SECTIONS

There are two types of such undesirable sections. The greater number of these quarters were originally suburbs of the larger towns. Beyond the city limits and outside of the city walls they were populated by a class of inhabitants that had settled there primarily for economic reasons. The purchase of land as well as the easy-going construction methods and mode of living were less costly than within the city itself. To some extent, too, these suburbs were inhabited by people who were not on particularly good terms with the legal authorities and for this reason preferred to avoid close contact with organized society. These suburbs were by no means of a handsome villa residence character. The towns grew and the settlements which originally lay outside the city limits found themselves, first, within the outskirts of the town, later enveloped by the town, and finally in the very heart



of the city. The bad reputation associated with these quarters clung to them, and it is only in rare instances that they have attracted capital investment for the purpose of clearance and reconstruction.

Another factor also enters into the situation. It is true that speculation views these sections with interest and there is no doubt that excellent revenues could be derived from an investment of capital, owing to the low prices prevailing for this class of real estate; but speculation has no faith in the possibility of the change of attitude that would be necessary to attract the better paying classes to these districts and for this reason does not essay the clearing away and rebuilding of such sections—the only procedure through which enhanced values can be attained. What was a slum remains in consequence a slum.

It is a remarkable thing, but the fact remains that many of our cities suffer from these cancerous growths in the most centrally located sections. Everyone would like to see them eradicated and yet they have survived, in many instances for centuries.

Then there is another type of slum. Here the process of development has been reversed. I refer to sections of the town that formerly were considered high-class, but which have fallen into decay either because commercial and cultural development has directed itself elsewhere, or because the settlement itself has been subjected to some destructive agency. The first of the two types was from its very beginning of miserable construction and neither gained nor lost in quality. The second type was of sound and acceptable construction originally but has fallen into decay in the course of time.

As the years have gone by, these districts have come to be avoided and condemned in every respect—from a hygienic, social, moral and economic point of view. But we must concede that it is only during the past century that the question of how to grapple with this problem has received serious consideration, and it is only recently, relatively speaking, that legal means to overcome the difficulties have become available.

#### LEGAL MEASURES

In former times such legal assistance was not at our disposal and we were more or less helpless and unable to act. Now new conditions have developed since the enactment of the ordinances that have prevented our making use of them. The shortage of living quarters during this latter period became so great that it has been almost impossible to induce people to forsake their dwellings. The power conferred upon the authorities to declare dwellings unfit has proved of little use,

since they have not been in a position where they could wisely enforce the vacating of such abodes. Any sort of a shelter, be it ever so miserable, is always better than homelessness under the open sky.

Our present-day building laws provide that all buildings must be maintained in such condition that they do not imperil their occupants or constitute a danger to others. If buildings, apartments, or single rooms show defects that are considered dangerous to the health of the occupants the health department may order their repair; and such order must be complied with at once. Where defects present themselves which in the opinion of the Health Department cannot be repaired in an adequate and satisfactory manner, the Department may prohibit the use of the house, the apartment or the individual room. Such order remains in force until the defect has been eradicated. The Department is also in a position to make a finding—and this is a matter affecting slum districts with great frequency—to the effect that the house cannot be rendered habitable. In such cases as soon as it is vacated its demolition is required.

Notwithstanding that a residence may have been declared insanitary and its vacation ordered, it may prove impossible to remedy conditions. With us even for the smallest apartments the Tenants' Protection Act is still in force and the Tenants' Unions may refuse to issue eviction notices, no matter how dangerous the Health Department may consider the dwelling. In practice, the Tenants' Unions in many instances oppose eviction unless new living quarters are provided; and for this reason nearly every move in this direction has been unsuccessful.

It is quite clear that these conditions are directly attributable to the great shortage of housing resulting from the war and the post-war period. Once this condition is remedied—and we feel that the time is not far distant when this will come about—and normal conditions in the housing market have re-established themselves, our existing legislation will put our administrative authorities in full position to eradicate the slums or to improve them.

## EXPROPRIATION

Municipal authorities have the right to expropriate entire quarters when this is called for by town-improvement plans or by a new lay-out of old sections of the city. The community is empowered to take this far-reaching step irrespective of whether the land involved is improved or unimproved. The only attached condition is, that the expropriation must be for the purpose of carrying out replanning operations. As a



rule, this condition can almost invariably be met when slum areas are involved—in reality, it is almost always in connection with such sections that the enforcement of the ordinance becomes a vital question.

The procedure in slum condemnation, as previously stated, is entirely independent of the question as to whether the land is built upon or not. In this respect our legislative regulation is exceptional, as the majority of other condemnation ordinances apply only to unimproved land, with the exception of instances where condemnation is decreed for the purpose of laying out streets, parks, etc. Therefore, if we have to deal with a mixed type of slum—i. e. slum quarters that include also houses in good condition—the authorities have no means at their disposal to effect compulsory surrender and have to find a way to get around the law. Sites needed for state or city buildings may be expropriated. Consequently, if the intention is to replace slum buildings by state or city edifices, the sites for these may be expropriated. On the other hand, if the intention is to condemn the slum quarters merely with a view to clearance and resale, the law offers no assistance.

When land is acquired on which there are residences, the law provides that the town shall, if so requested by the owner, afford the owner every possible opportunity to secure a new building site in the vicinity at a corresponding or proportionate price. The town must likewise see to it that the occupants find a suitable temporary residence.

#### THE BASIS OF COMPENSATION

If the town proceeds to the condemnation of districts or unimproved sites and compensation figures cannot be agreed upon by negotiation, a committee of impartial persons determines the price to be paid. Experience has shown that valuations reached in this way are seldom disadvantageous to owners—the reverse is usually the case. A comparison of the amounts awarded as compensation with the tax assessment valuations shows that the compensation figure is always higher—frequently exceeding the assessed value by 25 to 50%, and sometimes even more. Neither the letter nor spirit of the law contemplates burdening the community as a whole with the cost of such improvement plans, and so part of the expense is shifted by assessments to the shoulders of neighboring property owners who benefit most through such improvement schemes.

#### PRACTICAL DIFFICULTIES

It is thus seen that existing legislation gives the municipal authorities a fairly free hand in the accomplishment of improvement under-

takings, but there are serious obstacles that lie outside the province of legislation.

Tenancy conditions enter vitally into the question. With us the difficulty of finding new living quarters for the people displaced is very great. The law says that steps must be taken to secure suitable temporary accommodations for evicted tenants. What constitutes "suitable accommodations"? In one way or another it should be possible to buy dwellings for the evicted, and one could if necessary build provisional living quarters for them. But what are dwellings "suitable" for this class of the population?

Rents in slum areas are usually very low and the people who live in such areas are generally undesirable tenants. A landlord will do his best to avoid accepting tenants coming from slum districts. As for new dwellings at rentals these people can pay, they do not as a rule exist.

We meet here a difficulty that has prevented necessary and desirable improvement schemes from being carried out—in numerous districts—a difficulty that cannot be overcome without new and increased expenditure on the part of the community.

In Norway the slum districts comprise as a rule a multitude of very small sites. As a result, it is difficult for a developer or investor to undertake improvement of an area. In most instances, therefore, it becomes necessary for the municipality to acquire the whole district under the legal powers already referred to—and if it is not prepared to erect buildings itself, to resell to private enterprise.

Where this occurs and new construction is undertaken, a carefully worked out subdivision plan and system of streets is provided, and special building regulations and restrictions are issued with reference to the various sites with the aim and purpose of preventing the reversion of the district to slum conditions.

Summarizing the situation, it will be seen from what has been said that the laws of our country provide the measures necessary for the eradication of slums and for the prevention of their recurrence, but conditions that arose during the post-war period have worked against the full and practical application of these measures.

We can but hope and work for readjustment and look forward to a gradual return to normal conditions that will permit us energetically to attack the large-sized job of rooting out the slums and eradicating the scourge in its entirety.



# SLUMS IN CZECHOSLOVAKIA

*By* DR. L. P. PROCHÁZKA,

Chief of the Department of Public Health, Prague,

and

JAN VANECEK,

Consulting Engineer of the City of Prague.



Two widely differentiated groups of causes are responsible for unhealthy and dangerous living conditions in individual houses, in entire streets and in whole sections of cities—conditions dangerous to the community and disadvantageous and burdensome to neighboring property.

One of these is of sudden occurrence and lasts for but a short time—earthquake and subsidence of the soil, fire and flood, the ravages of war, and so on.

The other cause leading to the deterioration of buildings is gradual in its destructiveness and may operate for decades, insidiously. Gently and almost invisibly the process goes on; but it is a continuous process and it attains its end all the more surely in that its progress is stealthy, attracting scant attention from an unobservant public even when the harm that has been done approaches the proportions of catastrophe. To combat this evil a continuous expenditure of adequate funds is called for, as well as stern application of the appropriate laws of the country and a study of remedial steps taken in other lands.

One cannot rightly judge of the work and difficulties connected with the abolition of slums in any country without a knowledge of its building laws and their application. It is for this reason that we shall refer to several of our own legal regulations.

The existing building laws of Czechoslovakia are entirely too diverse in their character and too limited in their scope. Throughout the territory of the Republic there are in force 5 building laws and 34 statutes dating back to the days of Austrian domination. These ordinances contain numerous paragraphs relating to public health and safety, but they do not in any way provide for the systematic improvement of entire sections or quarters. The Moravian building act goes

into the subject of reconstruction of destroyed villages or sections of towns, but it treats the whole subject merely in a general way.

The result of this state of affairs is that when a question arises as to the demolition or reconstruction of a whole city quarter, it is necessary to formulate and promulgate a special law for the occasion. Outside of the boundaries of the particular localities to which such special laws apply, communities enjoy no permanent legal right to condemn a defective building or the site of a house that has been torn down or demolished.

The post-war building act, which has several times been extended or renewed for terms of short duration, provides for the expropriation of unimproved land and provides also for the condemnation of sites on which stand buildings whose use or habitation has been interdicted by competent authority, or buildings already marked for demolition. Excepted from the provisions of the act are land on which are buildings of historic value and interest, unusable because of their state of decay but preserved by means of a special appropriation. The fundamental objective of this post-war building law had to do with the acquisition of sites for the construction of houses with special reference to the existing shortage of living quarters. Its application is limited owing to its many special provisions and to the complicated procedure attendant on its functioning.

Although the law in question provides numerous regulations favoring construction as well as pertaining to city management, it does not in any way take into consideration the necessity of condemning land or buildings for the purpose of effecting improvements in communication or traffic conditions. It is only in Prague that use has been made of such power, conveyed to the authorities through a special law passed at the instance of the Greater Prague Town Planning Committee in 1920.

Inadequacies of existing legislation may also be illustrated by reference to actual conditions in Prague where—conspicuously and at various spots in the interior of the city—houses have been demolished and their sites have been left unbuilt upon because of intervening political crises and financial difficulties. A new building law—uniform for the whole Republic and remedying the defects and inadequacies of existing legislation—is shortly to be passed. Each community will then be empowered to condemn buildings of any kind where such condemnation is demonstrably in the interests of the community as a whole—proper compensation to be, of course, forthcoming in each instance.



## DEFINING SLUMS

It is obviously impracticable to confer on various communities the right of expropriation without first arriving at a proper definition of what constitutes a "slum"—that is to say, neglected or ruined buildings. And it is also necessary to determine when and to what extent an individual building is defective to a point that warrants its demolition.

The best wording describing the defects that warrant condemnation procedure is to be found in the British laws.

While it is hardly possible to arrive at uniform regulations applicable to conditions in all countries, the International Congress will have accomplished an important work, if, through the collaboration of its experts, it succeeds in establishing the general principles that govern this question and places such results at the disposal of the general public.

A factor of supreme importance as an index of the conditions in a given district or in individual buildings is the tuberculosis death rate. While experience emphasizes also the importance of death rates from intestinal typhus, the tuberculosis rate is a real decisive factor, is more general and, therefore, on the whole more reliable.

The physical state of dwellings and apartments should be judged with regard to the following points:

Danger of collapse through subsidence and cracks; dampness in walls; lack of adequate light; lack of sufficient air; lack of sunlight in rooms that open only to the North; and, finally, general deterioration of the whole house due to inadequate maintenance, careless or insufficient cleaning or unintelligent use.

In connection with entire districts of a town, one should not lose sight of the quality and protection of the water supply, nor of garbage and refuse removal methods. In arriving at conclusions concerning a larger district, the houses alone should not determine the decision. To be taken equally into consideration are the disposition of the house with relation to the land, the width of the streets in relation to the height of the houses, the proportion of land occupied by buildings and their courts, the relation of the area devoted to buildings to the area given over to private gardens and public parks, and finally the depth at which subterranean water is encountered with permanent factors pointing to the danger of inundation. Further, it is necessary—especially in the case of old frame houses—to look carefully into the likelihood of insufferable quantities of vermin and of infections resulting therefrom, as well as the everpresent fire hazard.

## THE REMEDIES

Local conditions and numerous other factors necessarily influence the remedial steps applicable to any particular spot. Following an examination into the number and position of defective buildings, there must enter into consideration the defects found in scattered houses located among others in good condition, in entire blocks of defective buildings, and in city quarters as a whole.

One might, in principle, list three ways of eliminating undesirable conditions.

- (a) Repair and improvement of individual defective buildings;
- (b) Practical rebuilding of individual unhygienic houses;
- (c) Demolition of entire blocks and erection of new houses conforming to whatever development plan has been adopted.

Although it may often be possible to make use of all three of these methods, it is preferable that radical and sweeping improvement methods should be resorted to only in the case of large-sized districts and that the improvements should conform to a completed plan laid out in advance and directed and subsidized by the municipal corporation.

### IMPROVEMENT OF INDIVIDUAL HOUSES

Alteration and reconstruction of individual houses is left as a rule to private enterprise, without special supervision beyond the normal inspection methods of the health and building authorities. When private enterprise is given various advantages, such as reduction of taxes, exemption from assessments, and so on, a large number of defective buildings are done away with; and—given constructive health and building policies—these defective buildings are replaced by ones of a high standard.

At the same time, this method is dependent on favorable economic conditions and attains no large importance except in cities during a period of development and at a time when credit is easy and money is cheap. It is only under such conditions that it is advantageous to purchase old houses as sites for new buildings in districts likely to be diminished by the restrictive regulations of a new town plan. Improvements along these lines are local, as a rule, and if the movement is neither centrally directed nor carried through as part of a general improvement plan—if it is merely random effort, specializing in cheap and easy construction work—it contributes little toward the attainment of the main objective in view, viz., the improvement of the town as a whole.



## A FACTUAL BASIS

All improvement or rehabilitation movements undertaken by municipal corporations should be based on the most complete attainable census of the defective living quarters, and on a plan of rehabilitation founded on and developed from this data. The general plan need not necessarily call for the demolition of all buildings in bad condition, as in many cases rehabilitation may be effected by reconstruction work of a type relatively low in cost, without departing from the general principles of the improvement plan as a whole.

Often, a state of dilapidation is the result of wanton carelessness and abuse or mis-use of apartments and houses by tenants. Repair and reconstruction—rather than complete demolition and rebuilding—naturally commends itself in the case of buildings of historic interest or importance, but at the same time it may often be found necessary or desirable to wipe out an entire quarter or district and build anew.

When anything of the kind is undertaken, it is necessary to formulate a new lay out, based on a study of the problems to be solved in bringing the rehabilitated district up to date in its relation to the needs and standards of the present day. The transformation and reconstruction of buildings always involves the danger that the old lay-out of the district—no matter if it has been revised in details and in the widening of streets here and there—may make impossible a full adaptation to modern standards. There is the danger, on the other hand, where a historically interesting district is concerned that full adaptation to modern conditions may destroy old memories and associations.

Where it has been decided to tear down and rebuild an entire district, it cannot be too strongly urged that full advantage be taken of the opportunity thus afforded of putting in its place a development that meets modern standards and offers to the city dweller conveniences that he is sure to welcome.

When buildings have been condemned and taken over by the community their sites should not be sold outright to private developers, but rather should be leased on long term leases. In this way speculation is prevented and the likelihood of having in future years to deal with new slums in the same spot is minimized.

## SOCIAL CONSIDERATIONS

It is the poor for the most part who live in cramped quarters in old and dilapidated houses. The inclination and interest of private enterprise as a rule lies in the direction of replacing these old build-

ings by luxury buildings given over to other than living purposes and with the residence quarters planned on a grand and expensive scale. Unless, therefore, the public authorities have had the foresight to make provision for an adequate number of small low priced and healthy living quarters for the poor in the city itself, all that happens when the demolition of the poverty-stricken sections occurs is, that the dispossessed poor move into the outskirts of the town and new slum conditions come into being there—eventually and inevitably calling for further rehabilitation work.

Therefore, improvement plans should be intimately connected up with a well balanced policy concerning provision for rehousing those displaced. At all times it is necessary to check up most carefully on the exact need and demand for lodgings of various sizes and rental cost, and to exercise intelligent supervision and control of private development operations to ensure a balanced building policy conforming to the actual needs of the whole population. It is nearly always the small and cheap living quarters that private enterprise fights shy of—throwing the cost of providing these, more and more, upon the State or the municipality.

For this reason it should be made obligatory upon private enterprise to erect buildings of small apartments in the place of those they tear down. The Tenants' Protection Act—passed in our country as a result of a serious housing shortage—requires that tenants dispossessed by the march of improvements be provided with a place to live in. This has unquestionably resulted in placing difficulties in the way of reconstruction work; but, on the other hand, many of the wealthier building interests, especially banks, have built new dwellings on the outskirts of the city, adapted to the purse of those dispossessed from the slums. This has been done for the purpose of enabling the developers to erect expensive structures in the interior of the city on the sites of the old dwellings that have been demolished. The new accommodations provided on the outskirts of the city for the displaced families are, as a rule, in the form of multiple dwellings rather than one-family houses, this being the type preferred today by the majority of people throughout the Republic, who like to live in this way, largely for reasons of economy.

#### ECONOMIC AND FINANCIAL CONDITIONS

The loss in ground-area following the tearing down of a house presents a serious obstacle in the path of reconstruction, where a considerable part of the site reverts to the community for street-widening



or park purposes. It would, moreover, be beyond the financial means of the community to pay compensation for the surrender of land for street-widening when any active building campaign was under way. It is only under conditions of normal building activity, or when only a small portion of the site of a demolished building reverts to the street and there is plenty of land left over for building purposes, that things can proceed along a regular course.

When the entire undertaking is assumed by the community, the inconveniences resulting from the reconstruction work are offset, the fact that it permits the replacement of all the houses. When the contrary is the case, it is necessary to concentrate official intervention on buildings which there is no reason to hope will be torn down and replaced by private enterprise. Houses that acquire additional value through reconstruction should contribute to the cost of construction elsewhere. This becomes possible by a process of readjustment, similar to that applying to lands not built upon.

Legal ways should be found for the creation of a town improvement fund, along the lines, for example, of the existing statute of the city of Bratislava, and along the lines contemplated in the projected building law. To the proposed improvement fund would accrue all community receipts from sources connected in any way with the town plan—such as the sums acquired by the sale of lands and building sites, taxation on real estate developments, etc. And the total would permit of taking care of indemnities payable upon taking over land called for by the general scheme of the town plan.

All steps taken for the elimination of defective buildings should proceed solely from a complete and perfected scheme of town planning. The town plan should prescribe the maximum height and depth of buildings and prevent court spaces from being unduly encroached upon. An ideal method of utilization of sites might be assured by the inclusion of detailed conditions of construction in the regulations governing specific sub-divisions.

When the community disposes of building lots, then is the time to lay down the restrictions that should apply to all structures erected thereon. However, after taking all precautions, and despite the greatest efforts to enforce the observance of building restrictions, sooner or later one encounters evasions. In practice it seems impossible to fully prevent such encroachments and evasions of restrictions. Human nature and self interest frequently prove stronger than the best of principles laid down.

A grave defect is found in the fact that the laws permit modifications of the original restrictions, which in many cases result in the deterioration of dwelling houses.

Changes occur in the use of a building—business premises are established in residences or villas, other commercial enterprises creep in, a poorer class of people come to live there—all resulting in re-arrangement of the interior or in the cutting up of large rooms and apartments to provide less pretentious living quarters. Added to this is the fact that an old house not properly looked after is bound to deteriorate. As it changes hands, the latest purchaser who does not himself reside in the house seeks to cover his overhead and increase his income by a series of alterations that permit more apartments. That house is on the way to ruin and is foredoomed to condemnation in the public interest. Some amelioration of such conditions may be attained if, in the larger cities at least, there is introduced and carried on a regular, energetic and official system of inspection of dwellings.

#### IMPROVEMENTS IN PRAGUE

Improvements in the city of Prague have been carried out under the provisions of Statute No. 22 of the Imperial laws dating back to the period of Austrian domination. This law was passed on February 11, 1893, and was valid for ten years. It has been extended for various terms and is still in force. The improvement work heretofore done applies to all the houses located in the "Josefov" district—the 5th or "ghetto" quarter of Prague, about 93 hectares in area; to the adjoining sections of the Old City—the first quarter, covering some 273 hectares; and to the section of the New City—2nd quarter, near the church of St. Adalbert.

The law empowers the city of Prague to expropriate all buildings in a strictly defined area. In the entire condemned district no buildings were to be kept with the exception of a few churches and synagogues to which the town improvement plan had adapted itself. The new town plan, affecting the entire district, was not conceived scientifically, though it conformed to the generally accepted views of that time. The scheme made only minor changes in the ancient streets, but called for radical steps in the opening up of new streets and projected a new series of wider thoroughfares.

The general result has been that the new development does not provide a satisfactory street plan, while at the same time the lay out



of the city has lost the ripened uniformity that had gradually evolved from days of old.

A defect of the new plan, which is of even greater moment, is that it failed to take account of the relation of the improved section to the rest of the city. It was a district plan, rather than one based on the requirements of the city as a whole.

The right of condemnation for improvement purposes can not be exercised in the case of a building until the owner had been given an opportunity to carry out the work in accordance with the terms of the plan and to do so within a specified period of at least 2 years. And the community is called upon to compensate the owner of such a condemned building for all damages sustained by him through such condemnation. In the majority of cases, about 80%, an agreement as to the sum to be paid is arrived at between the authorities and the owner by friendly negotiation.

In its financial aspects a distinct advance was made by the law of February 11, 1903, by virtue of which all reconstructed buildings as well as new buildings in the improved district were exempted from taxation on rentals, and from state, communal and school surtaxes for a period of 20 years. These concessions represent in round figures a sum of 16,500,000 pre-war crowns (\$3,300,000). The total sum devoted to the improvement work adds up to 40,000,000 pre-war crowns (\$8,000,000). This sum is in part offset by the proceeds from the sale of new building lots under the plan, and the balance has been taken care of—since the expiration of the tax-exemption period—by the relatively higher tax yield from the new buildings.

The Improvement Act leaves the community at liberty to exercise the right of expropriation itself or to convey it in whole or in part to others. Thus far no individual or private corporation has presented an acceptable offer, for the obvious reason that there is bound to be a serious financial loss. For the carrying out of the improvement plans the city of Prague has created a special bureau.

### POST WAR IMPROVEMENT WORK

In the midst of the abnormal conditions characterizing the period following the war, private enterprise rendered perhaps equal service in wiping out insanitary dwellings. The great shortage of living quarters and of premises suited for stores and offices; the opportunity to get rid of old tenants who were paying rentals at only slight advances over pre-war figures; and the great advantages offered by tax exemp-

tion towards the year 1927, when it became possible to secure construction loans with relative ease, resulted in a very great number of old houses being rebuilt or replaced—both in Prague and throughout the Republic—without any necessity arising for the application of public funds to that purpose.

The rental income from the newly constructed buildings ran into very high figures as compared with the rental yielded by the older ones—a condition of affairs automatically, if artificially, resulting from the fact that new tenants did not enjoy the protection accorded by the Rent Laws to older tenancies, and were called upon to pay rentals that represented a disproportionate increase over pre-war figures.

Another factor in the situation was the greater popularity of new and modern construction methods. Far larger floor space has been made possible by the use of steel and cement construction than by the older method of building with walls of masonry. Furthermore, economies for builders have been effected and realized by a change in the height of ceilings—nowadays the distance between floors is far less than was common in the older buildings of Prague, and averages not more than three meters (10 feet).

Before the war when improvement work was carried out in the Old City of Prague, there was failure to estimate adequately the number of people dispossessed from their homes and to provide living quarters for them—with the inevitable result that those dispossessed, most of them of the very poor, settled down in the outskirts of Prague and proceeded to establish and develop there, new districts calling for condemnation and improvement in their turn. This state of affairs later became worse through the housing shortage that set in immediately after the war. Even the Tenants' Protection Act failed to ameliorate the conditions referred to; for, numbers of dispossessed families accepted money compensation instead of the substitute living quarters they could have claimed, and thus—whether through mercenary motives or through an unwarranted sense of confidence—they came to swell the throng of those living under bad conditions in ramshackle provisional structures and in veritable slums. As a result it became necessary for the city itself to construct dwelling places for the poverty-stricken inhabitants of the numerous insanitary colonies that had come into existence.

It is appropriate to recall, here, that after the war there existed especially in Prague a great number of houses in poor condition that could be repaired and made livable without complete reconstruction. These included former residences of the aristocracy and of the rich



bourgeoisie, for the most part edifices of historic value, some of which had deteriorated through uses for which they were never intended—serving as lodgings for the poor, or used for a variety of commercial purposes, or perhaps even as barracks.

The fluctuations of exchange—even if not assuming catastrophic proportions with us; the ups and downs of private fortunes and resources following on the war; the transformation in the form and character of the State and the reconstitution of Prague as its capital furnished conditions lending themselves to rehabilitation activity. Wealthy individuals and concerns, along with the State, the official representatives of foreign powers, and the public utility corporations, have all combined in this work of rehabilitation and in the case of many of our edifices—some of them in a state of greater or less dilapidation—have restored them to their ancient splendor.

# THE ELIMINATION OF SLUMS IN AUSTRIA

*By* DR. HERMANN MAETZ,

Head Commissioner, Municipal Building Department, Vienna.



In Vienna a few years ago the laudable desire to own a home of one's own led a number of families with very little money to buy cheap and undeveloped land in the vicinity of the smaller villages outside the city limits and to erect thereon such poor dwellings as their limited means would allow. For this purpose mortgage loans were often obtained and the income of the new home owners was sorely taxed by the payment of interest charges and instalments on the principal. In what possible way could the rapid deterioration of these hastily and cheaply built dwellings be prevented with little or no funds available for that purpose? Add to the deterioration of the houses, the lack of order and system because of the absence of a proper lay-out of streets and of proper construction and sanitary supervision—due to the unexpected building activity and the non-existence of appropriate official bodies empowered to look after things—and we have all the elements and factors leading inevitably to the creation of slums of a peculiar type, *i. e.*, slums composed of scattered or at any rate fully detached dwellings.

Similar conditions might have developed within the city boundaries of Vienna from the building activity of the allotment holders who had achieved a certain degree of independence, fostered by the publicity given their endeavors during the war and the post-war period. Pressed by a shortage of living quarters they erected on their allotments, with utter disregard of building regulations and the building authorities, totally inadequate huts and shelters which they subsequently used for permanent residences. These colonies cannot perhaps be termed slums in the generally accepted sense of the word, but their lack of sanitation, the very obvious fire hazards and other factors, render their existence sufficiently threatening for the building authorities to seek ways and means to remove them. In view of the distressing economic condition of these allotment holders and the great sacrifices made by them to achieve their ideals, it is obvious that exceptional tact and consideration is called for in handling the situation. Nevertheless, even in cases such as these, the interest of the individual cannot be allowed to jeopardize the common weal.

A chapter on the causes and origin of slums would not be complete without reference to the fact that the deterioration of such quarters—which command only low rentals owing to their many shortcomings and discrepancies—is hastened and aggravated by their inhabitants. They are not only of the poor classes, but, for the most part, they may be considered socially and morally of the lowest order—people whose mode of living contributes in no small measure to the neglect and decay of their dwellings.

In Vienna some, though fortunately not very extensive, living quarters have developed in a manner bringing them within the category of typical slums. They have originated in divers ways. In some cases they are groups of old, low-roofed dwellings, dating back to the 17th or 18th centuries when they were occupied by an agricultural and middle-class population and have survived unchanged to this day. Other groups are largely made up of inadequate and poorly constructed one-story lodging houses of the 18th and early 19th centuries; and in the case of one settlement near the Danube the huddled assemblage of small cottages without foundations had originally been occupied by fishermen and ship chandlers.

In addition to these groups there are widely scattered individual houses of very little worth which for one reason or another have been passed by in the march of progress.

#### EARLIER LEGAL MEASURES

Even if these do not in any way resemble the slums of foreign industrial cities, still the question of what should be done with the antiquated dilapidated buildings in Vienna is becoming more and more acute.

The safest way to go about this would seem to be to place the eradication of existing slums and the taking of steps to prevent the development of new ones in the hands of a central housing administration controlled by the municipal government. For, so long as transactions in living quarters for the poorer classes are in the hands of private business, laws can hardly be evolved that will prevent the clash of individual interests to the prejudice of the public welfare. A radical departure of this kind is, however, an impossibility because of the lack of public means as well as because of the economic upsets of the day. We are constrained to content ourselves with legal measures which, in the form of a compromise between the conflicting private and public interests, make smoother the path to the desired goal. It should not be overlooked that a city resembles a multi-celled organism whose passing



impulses of development are derived from the correlation of its separate members and whose reaction to new and unaccustomed influences can seldom be accurately determined in advance. The ultimate effect and the adequacy of legal measures especially in the field under consideration are more than difficult to prophesy with any degree of certainty.

Until recently, legal regulation was only a slight factor in betterment activities in Vienna, as well as throughout all of Austria. The building laws permitted the authorities to formulate plans for the city, and land owners were called upon to make their new construction conform to its requirements. In all other respects matters were left to the initiative of private enterprise. Given the best of intentions, the initiative of private enterprise could only with great difficulty bring about reconstruction work on a large scale, as the legal means to compel a group of neighboring landowners to adopt a uniform and common course of procedure were conspicuously lacking. In a clause of general application, the Austrian civil code provides that every citizen of the state shall be obligated, when properly compensated, to surrender any property required to further the interests of the public. This provision furnished a basis for special expropriation acts which operated only in the interests of railway, street and other traffic construction.

There existed no expropriation law paving the way for housing improvement. There was a single instance in the days of the old Monarchy when a special law—based on the provision referred to and incorporated at that time in the laws of the Empire—was adopted to facilitate an improvement movement on a large scale. This was in Prague in 1886 and in connection with the improvement of some of the ancient quarters in the Inner City. These ancient quarters had been swept by a pestilence that had brought home to the whole city the imperative necessity of taking steps to prevent its recurrence. This catastrophic epidemic led to the subordination of private and individual property rights to the claims and necessities of the common weal.

#### PROPERTY RIGHTS

Particular care for the guarding of individual property rights and protection of the economic interests of house and land owners were considerations that greatly influenced the provisions of the city plan of control. Vienna's plan confined itself in large measure to such setting back of building lines as is imperatively called for by the widening of streets with a view to improvement of traffic conditions. Radical

changes in the lay-out of streets, re-formation of blocks and individual sites and incorporation of new squares and parks in the general plan were avoided as far as possible, in order to save the municipality from unbearable compensation burdens. A second reason for the lack of comprehensive measures was that access to all building areas and the immediate availability of the sites for building purposes had to be protected and conserved throughout the many years devoted to the improvement work. In this way it came about that in some instances sites which by their shape had always been poorly adapted for building were made worse than ever by the street widening operations.

Rebuilding of old parts of the city proceeded very slowly and by fits and starts; for, the actual carrying out of the improvements contemplated in connection with the town plan was dependent on the financial strength of the property owners, and was even more subject to the ups and downs of speculation in buildings. Speculators and investors naturally gave preference to the most promising, well-shaped and best situated building sites. These were to be easily found in outlying sections newly added to the city as the result of the extension and improvement of communication facilities. As compared with this, there was little attraction for investment in the old insanitary districts composed of small and irregularly shaped plots which scarcely lent themselves, individually, to new construction; and which, if a policy of assemblage and replotting were followed, could in any event hardly be expected to lead to the establishment of an adequate scale of rentals, as long as the surroundings remained of the slum variety. Even the advantages in tax matters offered for the encouragement of new construction did not suffice to provide impetus for any movement to invade and destroy the slum quarters of the city.

The situation has gone from bad to worse as a result of the complete paralysis of private building enterprise—resulting from the war and the years that followed—and there is no prospect whatever that any movement leading to slum eradication will or can be initiated by private interests. If anything is to be achieved at all, the community itself must lay its hand to the plough. A slum improvement undertaking on the part of the city government would however have to be of a comprehensive, large scale and uniform character, for any attempt to attain the desired goal by random purchase and demolition would be foredoomed to failure for practical and economic reasons.

## THE EXPROPRIATION LAW

In order to illustrate the complications that the lack of an effective expropriation law leads to, a typical case may be cited. In the course of its well-known housing programme, the municipal government of Vienna undertook the development of a good-sized area in one of the inner districts of the city. In order to round out the city's holdings, and in the absence of power to expropriate, the city purchased out of hand a large proportion of the houses adjacent to the district—most of them dilapidated and all of them open to grave suspicion as menaces to health. A single property owner, the acquirement of whose property was essential to the proper carrying out of the improvement, declined to sell and this necessitated the passage of a special state law to enable the city authorities to acquire by condemnation this one small parcel of land and the more or less worthless buildings standing on it. It took nearly three years to carry this transaction through to completion.

The result of this kind of thing was that in the summer of 1929 an expropriation act was formulated and passed applying to housing and improvement operations throughout the entire territory of the state. This law confers the right of condemnation to public bodies alone, and not to private interests. Further it may be resorted to only to facilitate the erection of dwelling houses and is at the disposition only of those communities in which a housing shortage exists or in which the improvement of insanitary residence districts is called for as a matter of necessity. This law gives the power to condemn properties essential to a complete improvement of a district composed for the most part of insanitary or tumble down buildings and where the size and shape of individual sites stand in the way of effective reconstruction operations. Through this legislation a rapid and uniform carrying through of improvement undertakings is assured.

This law provides for expropriation in various specific cases with certain restrictions. Among these may be mentioned the right of condemnation for the purpose of erecting buildings composed of small and medium-sized living quarters and restricted by formal entry in the land register for residential use for 50 years. Under the classification of "small" living quarters come those in which the floor space devoted to the living rooms does not exceed 60 square meters (645 square feet). The "medium-sized" category comprises dwellings where these dimensions range from 60 to 100 square meters (1076 square feet).

Then come the houses ripe for demolition—*i. e.*, insanitary or badly dilapidated houses—for the tearing down of which the owner has either



been accorded a demolition permit or has been served with a demolition order. Expropriation may ensue in this class of cases if, in the course of a half-year after the issue of the demolition permit or order, the owner has failed to apply for a permit to put up a new building, or if he fails to begin the construction work within a year. These periods can be prolonged only by an extension of the time allowed for notice to tenants and for actual evacuation on application to the courts.

The right to expropriate also comes into being when the owner of a vacant lot of less than thirty meters (98 feet) on a developed street has been served with three successive notices and has failed to apply within a half-year for a building permit, or who fails to begin construction work within a year following the issue of such building permit. Set periods of grace must intervene between the first and second notice to the owner and between the second and third notices, which means that in extreme cases three years may elapse between the date of the first notice and the date when the vacant lot becomes subject to condemnation proceedings.

The last of the various specific cases covered by the expropriation law has to do with so-called "complementary parcels", or remnants. A provision of the law permits condemnation of small pieces of property, in themselves unsuitable for building purposes, if they stand in the way of the advantageous use of an adjoining property for building purposes of technical or economic value and if the owner of the "complementary parcel" demands an obviously unreasonable price for it. If a building stands on this latter piece of ground the property can be condemned only in the event that the building is in bad condition and ripe for demolition, or if the building has relatively little value as compared with the value of that portion of the parcel that is not built upon.

Decisions to make an expropriation are made by the state government; they may be appealed, but only to the appropriate Minister, who is called upon to hand down his decision within 6 months. Legally valid expropriation terminates all existing leases and rental agreements and vacation of the premises must follow within whatever period of time is locally customary. The official district body that has applied for the expropriation order, after its legal validation and within whatever period of time has been stipulated, must begin the contemplated construction work and carry it to completion.

The expropriation law with which we have been dealing provides also for damages, represented by compensation for all losses sustained through the expropriation by the dispossessed owner and by those who may have rights in the property or claims or liens thereon. In the

event that the parties involved fail to reach an agreement on the amount of compensation to be paid, recourse may be had to the courts for a determination of the question. In this latter event, when the court of first instance has handed down its decision appeal may be taken to a court of second instance, but these legal proceedings do not act to prolong the four-weeks period which must elapse between the validation of the expropriation order and actual expropriation—provided always that there has been paid into court the sum designated as the proper amount of compensation by an expert approved by the court.

### THE NEW VIENNA BUILDING ORDINANCE

A valuable addition to the state expropriation act is represented by several provisions of the new Vienna building ordinance which came into effect in May, 1930. These provisions closely follow those of the state law, but go more fully and exactly into the determination of the basis of compensation, and in addition render possible, in certain instances, expropriation by private interests.

Provision is made for expropriation in the following cases: plots which, according to the town plan, will come within future traffic ways when these traffic ways are developed; "*Baumasken*"—pieces of land in themselves unsuitable for improvement and lying between another property and a thoroughfare; "complementary parcels", or pieces of land unsuitable for independent improvement and lying between two improvable sites. In certain circumstances the owner of a so-called "complementary parcel" may set up a claim for slices of the adjoining properties, for the purpose of an advantageous and useful extension of his area.

And, finally, in special cases expropriation is in order for the acquirement of land for public buildings, recreation grounds and cemeteries.

From the foregoing outline it is seen that the new Vienna building ordinance and the state expropriation act, taken together, give Vienna adequate power to proceed to the systematic improvement of slum quarters, as well as to eradicate defective conditions of individual buildings. The building ordinance was carefully formulated to meet all the modern requirements called for by the building plans of a great metropolis; and to meet them in such manner that the development of slum areas in future would appear to be practically out of the question. The possibility afforded of expropriating "*Baumasken*" and "complementary parcels" will encourage a property owner to take under con-

sideration building operations that could not be carried out within the confines of his own property, and which previously was rendered altogether impossible by his neighbor's refusal to sell.

The sword of Damocles, in the form of the risk of expropriation, hanging over the head of certain landowners will perhaps prove more effective than the taxation measures—which must bring unavoidable hardships in their train—in preventing a continuation of the speculative tendency to hold back improvement of vacant plots, or of buildings ripe for reconstruction.

The present small value of land has led to the fear that the legal expropriation provisions might be taken advantage of for speculative purposes and sites assembled cheaply and held to be resold later at increased figures, after replotting. For this reason, primarily, the right of expropriation has been vested chiefly in the official district body. The time limit affecting reconstruction work and many other details of the provisions, not gone into here, are also aimed at the prevention of abuse of this power for speculative advantage.

Building plots have advanced somewhat in price in Vienna since the State began to encourage residential building activities about a year ago. When real estate shall again have attained its pre-war value, it is likely that special measures for the prevention of abuses of the right of expropriation will become superfluous; for, the price that must be paid as compensation in expropriation proceedings is generally higher than the current market value. Concrete precedents and principles for the valuation of expropriated properties are not, it is true, available in Austria as a whole, but it is to be assumed that conditions will tend to uniformity. Even the old building ordinance of Vienna gave the building authorities the power to deal with insanitary dwellings. The pertinent legal provisions were, however, in pre-war days interpreted in a way to afford the greatest possible protection to the interests of private owners. The economic stress and the housing shortage of the post-war period made it necessary to consider the preservation rather than the elimination of any dwelling that could at all be made use of. For this reason, even the present building policy of Vienna in relation to the fitness for habitation of its dwelling houses and their suitability for demolition is sadly inadequate in some respects, and certainly not a model for use under normal conditions.

In conclusion, it may be remarked that at the present time in Austria, and especially in Vienna, the legislative groundwork has been laid for improvement schemes and for desirable development of living conditions. A practical transition to actual accomplishment is a matter



for the future and at the present time is strictly a financial problem. At any rate, there should not be much difficulty in arriving soon at a decision to take steps looking to the elimination of tumble-down houses and the erection of houses on vacant lots constituting building gaps. Also, reconstruction work necessitated by adjustment to traffic conditions can soon be got under way. These are measures that will have to be taken care of in part in the operations of the City's housing programme. Also the reconstruction work called for by the comprehensive town plan—reconstruction work in accord with the times, and meeting the most recently formulated legal requirements—can be started without delay.

For the large-scale improvement of certain sections of the city a plan must naturally be developed that will spread the work over a period of years, to ensure the costs being covered within the limits of our budget appropriations. It may be regarded as certain that the city of Vienna—so far as municipal finances permit—will devote itself to this work also.

In this connection it goes without saying that the city officials who have raised social welfare and the betterment of living conditions high upon their shields, will in this new field also perform work of a high order in thorough-going fashion.

# THE ABOLITION OF SLUMS IN ROUMANIA

*By Professor C. SPINTESCU,*

Director General of Technical Service, Bucharest.



The abolition of slums is a social ideal as difficult to attain as the abolition of poverty or cupidity.

We desire complete abolition, but we have to content ourselves with less—the greatest possible reduction in the number of slums; limitation of the evils arising from insanitary living places; the complete isolation of the districts in which these evils abound. The city dweller should above all endeavor to create and encourage conditions that do not lend themselves to slum development.

In Roumania, at least, that is the objective aimed at. The administrative law of Roumania has long maintained the principle of assuring sanitary dwellings and of doing away with those that have become insanitary. The first principle is conspicuous in the law of local administration; the second in the sanitary laws. The regulations for applying these principles have thus far yielded slight results, as the slum problem has not been envisaged in its entirety.

There has been a tendency to postpone until after insanitary conditions have arisen those measures that should have been taken earlier. These measures include: (a) the eviction of occupants; (b) provision for sanitary improvements to be applied in the case of unhealthy living quarters; (c) partial or total demolition. The legal measures are the same where the insanitary buildings are grouped together, or are in well-defined districts, or are individual dwellings in an insanitary quarter.

From the legal point of view, the restriction of property rights where there are insanitary conditions, may be complete or partial—complete, if insanitary conditions exist not only in the building itself but in its surroundings as well. In such cases expropriation procedure is in order, on the ground of public welfare in the interest of health, upon payment of the full value of the property. The Roumanian law in respect to condemnation is similar to the French law of 1841. So far as concerns compensation for the demolition of insanitary buildings in cases where the sites remain unbuilt upon and unchanged, the amount of compensation may be limited to the value of the old building material, if the findings of insanitary conditions has been confirmed by the Munic-

ipal Health Commission. In a case where insanitary conditions are present only in the building itself, the authorities may cause it to be vacated or demolished.

In the Roumanian Law, two classes of cases are provided for: (a) if there exists immediate danger to the life or safety of the occupants, vacation may be effected without delay, to have effect until the building is put in proper order, assuming it is not a case calling for total demolition; (b) in a case less urgent vacation must take place within a period of varying duration—in the law of 1925, the period is three months.

Insanitary conditions are investigated and confirmed by a municipal commission composed of a member of the Municipal Council, a physician, an engineer or an architect, and their findings are submitted to the Health Council of the city, which decides whether the building is to be vacated or not. Prior to 1925, vacation could not be compelled without a court order, but the administrative law of that year replaced the old legal formalities by a new law which permits fairly rapid administrative procedure. In neither case is there any legal provision for compensation, even though the building may be demolished by order of the administrative authorities. A similar course of procedure applies to improvements ordered to be made in dwellings found to be insanitary.

#### INADEQUATE LAWS

At no time have the authorities been called upon by law or constrained by custom to rehouse the tenants dispossessed by their orders. In exceptional cases, or as temporary measures, evicted families have been lodged elsewhere or some financial assistance extended to them. It is to this lack of organized effort in the matter of providing houses for the evicted that the slight results from the legislative measures enacted are due.

Instances are rare where whole quarters or districts have been vacated, cleared or improved. Insanitary quarters have been cleared only in a few instances—such as the clearances made for the Carol Park and the National Park at Bucharest—although whole districts in bad condition from a sanitary point of view are numerous enough in many of the Roumanian towns and above all in the Capital.

The reason for this failure to apply existing legal measures to the improvement of many districts may be found in the almost insurmountable difficulties that present themselves in connection with the procedure to vacate and demolish a number of buildings without indemni-



fyng the owners, and without providing other dwellings for the dispossessed tenants.

The Roumanian laws make no special provision for houses in good condition situated in an insanitary quarter and which must be torn down if the objectives of a general town improvement plan are to be realized. Such cases fall within the general provisions of the law authorizing expropriation on grounds of public utility and for sanitary reasons that permit the condemnation of an entire insanitary zone upon payment of fair compensation to property owners. This law entrusts to a commission of arbiters the determination of the amount of compensation and authorizes them to assess the value of a building—taking its age into consideration—even if it is in good condition. But it is customary for the commission of arbiters to award the fullest compensation for such buildings.

Changes in the law are becoming more and more necessary in Roumania, in view of the formulation of town improvement plans that include a system of zoning and improvement by districts. In a town-improvement plan for the capital city, Bucharest, now in course of preparation, provision will be made for the improvement of dwellings and slums on the periphery of the town by the condemnation of a belt of ground that is to be declared a zone not to be built upon, “*non aedificandi*”, and which will prevent encroachment and facilitate housing improvement. According to the design and calculations of Professor Sfintesco, the realization of this encircling parkway of 200 to 300 meters (656 to 985 feet) in width with a perimeter of about 20 kilometers (12½ miles) will call for the expropriation of 4200 acres of land, of which 865 are covered to a larger or smaller extent by houses of the slum variety (numbering some 1500) and representing a value of about 230 million *lei* or about \$1,380,000. By this step it is expected to achieve an improvement that will have double value by reason of the benefits that will result to the poorer classes through an exchange of existing insanitary dwelling places for new dwellings constructed by the city and located in the proximity of the surrounding zone.

A programme like this cannot be realized without legislation permitting compulsory replotting and pooling of property under certain conditions. In the law of 1929 relating to the organization of the administration of Bucharest, the city was empowered to carry out such property adjustments under the town improvement plan, but it appears that this particular part of the law is inoperative because of the vagueness of its wording. Legislation should be obtained that will permit the authorities to replace a property holding in one quarter of the town by a property holding of equivalent value in another quarter.

## FACTORS CREATING SLUMS TODAY

At the present time insanitary buildings are affected by influences that tend at times to their abolition, but more frequently tend to their increase. These influences result, on the one hand, from the Rent Restriction Act, which makes it compulsory for landlords to grant extensions of leases; and, on the other hand, from legislation that encourages new construction. One beneficial influence has been that owners of slum dwellings have preferred to sacrifice the low rentals they could at best receive under the law and have demolished their houses, erecting modern and sanitary dwellings in their stead. They have naturally realized the possibilities of remunerative returns resulting from the law that exempts new dwellings from all taxation and gives to landlords complete freedom in fixing rents.

The Rent Restriction Act, however, proves a very strong adverse influence. Because of the low rentals that it enforces plus the depreciation of the currency of the country, landlords are not in a position to repair their houses and keep them in good condition, nor have they any longer any incentive to do so. This state of affairs has continued for more than fourteen years—a period sufficient to allow many dwellings to become insanitary, as our legislators have made no provision for funds with which the owners of such dwellings may put them in good condition.

An influence of still greater moment is found in the influx into the cities from the rural districts of people after the war, seeking employment in city industries, at a time when the State was financially unable to undertake any effective steps to encourage the construction of inexpensive dwellings—steps that other and richer countries in the western part of Europe have undertaken with success. The newcomers settled down in the outskirts of the towns, which through this unforeseen increase in population became veritable nurseries for the rapid growth of slum conditions.

## SHACK COLONIES

Figures concerning the outskirts and suburbs of the city of Bucharest strikingly illustrate this development. Out of a dozen suburban communities around Bucharest, 7 immediately adjoin metropolitan districts. Investigations have revealed a veritable offensive of slum-like dwellings in these districts. These are makeshift shelters strewn on uncared for land, with one or two “rooms”, rarely three, built by the occupants themselves, who have neither the means to purchase material necessary for good construction nor to employ workmen capable

of handling such material. There are no streets or means of approach and it goes without saying no drainage or sewers. Most of the houses are constructed of clay spread over a framework of lumber and lath. Only seldom does one find cottages built of brick—sheet metal roofs at times, but more often tarred cardboard and sometimes rushes.

The total number of these dwellings erected in 1930 is about 1370, 850 of which are of the clay covered type. The number of rooms is some 3500. A clay house costs from 10,000 to 50,000 *lei* (\$60 to \$300), and a brick one costs 60,000 to 150,000 *lei* (\$360 to \$900). These houses in the aggregate represent a total expenditure of 90,000,000 *lei* for their construction (about \$540,000). If these dwellings were placed on a single street they would extend 21 kilometers in length; and the drainage and sewer system would cost more than 18,000,000 *lei* (\$108,000). It is obvious that a great waste of energy and a great danger to health will result if more such settlements are allowed to develop. Helping these settlers to build healthy dwellings is a national necessity and a dictate of humanity.

#### THE REMEDIES

The least expensive remedy is to adopt preventive measures that will deal with the causes that produce slums. These causes are not the same in all countries, or even in all the towns and cities of a single country. One may distinguish at least two causes in Roumania: (a) poverty—the chief cause of the slums that develop in the outskirts and suburbs of the cities; (b) cupidity—the originating cause of the slums in the interior of the towns and above all in the tenements generally found in the larger cities, especially in their central and oldest districts.

It is perhaps more difficult to find proper measures to prevent the development of the first group. Such development results from the poverty of a social class and the aid of the State or its various subdivisions must necessarily intervene for their help. With regard to the second group—"barracks to let"—for which the cupidity of landlords is responsible, it is necessary to formulate strict regulations and apply them rigorously to prevent a vast increase in the number of buildings falling into decay.

It is appropriate to consider here which of the two groups of slums is more dangerous and to be combated with the greater vigor. The little family dwellings created by the owners themselves present an insanitary condition which, in the final analysis is the result of defects in public administration. They are outside the city limits, and in their insanitary features can be isolated and to a great extent improved.



On the other hand, the solidly built up slums maintained for rental income are characterized by insanitary conditions that are both interior and exterior. To the insanitary conditions inside the house are added the spread of unhealthy conditions through overcrowding, promiscuity and propinquity—the effects of which are inherited, so to speak, by one set of occupants after another. The outside health conditions are matters of even greater gravity, despite the existence of drainage and sewers. Air and sunlight are noticeably lacking and this is a condition difficult to ameliorate, for the slums are composed of old buildings constructed in times when hygienic requirements entered little into consideration. Aside from this, it is not likely that the owners will undertake improvements in the interest of health, when there is no profit in it, as their chief aim is to get the maximum revenue on the minimum investment. Fortunately, the slums of the closely built variety are to be found for the most part in large and old cities, of which there are relatively few in Roumania.

The regulations that have come into effect in the past decade are not strict enough to ensure sufficient open space for the admission of adequate air and sunlight in houses of many stories. These must be strengthened as preventive measures by wise legislation.

The “one-family” slums in the numerous fair-sized towns and in the villages are a veritable scourge—not merely those on the outskirts but in the interiors of the towns as well. The only way to put an end to this in Roumania is by government aid to those lacking the capital to build properly but able to earn enough to repay loans in instalments stretching over a sufficient period of time, and with interest at a low rate. It is a question of organization and credit.

At the same time we need further legislation for the improvement of our slums, which were not given sufficient attention in the new sanitation act passed in 1930.

# THE ABOLITION OF SLUMS IN BUDAPEST

By DR. EDMUND VON WILDNER,  
Former Building Commissioner.



The question of eradicating slum quarters with its problem of rehousing their inhabitants arises less frequently in Budapest than in many of the larger cities of Europe.

Roughly speaking, Budapest has today some 25,000 buildings. Most of them (82%) are less than 50 years old and more than half (60%) have been in existence for only 30 years at the outside.\*

In recent years improvements have been effected in the layout, width and construction of streets and squares. Modern requirements have been carefully complied with, not only in the development of the new sections created by extension of the city, but also in the remodeling of the older sections of the town. The narrow, crooked alleys and inadequate open spaces, permitting little air and still less sunlight and incompatible with modern living and traffic conditions, have had to disappear, and have made room for wider streets, broader avenues, larger and more beautiful squares and parks and a better and healthier condition of things in general.

## MEASURES TAKEN

Special ordinances have been enacted for carrying out municipal building development on a large scale. These deal with the provision of funds for expropriation and other purposes; and encourage building activity by granting to builders long-term or total tax exemption when the work is completed within a specified time.

The principal official bodies having to do with these matters are the communal administrative authorities and the Building Council of the Capital ("*Fővárosi Közmunkák Tanácsa*") created by G. A. 10 of 1870—an assemblage composed of representatives of the government and the municipal corporation, and controlling the "Capital Building

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\* The following figures indicate the rate at which new buildings have been erected. In 1849, there were 9518 buildings; in 1869, 9351; in 1880, 10,748; in 1900, 16,254; in 1920, 20,000; in 1929, 24,215. The rate of progress is accentuated not merely by the increase in the number of buildings, but by the fact that small houses that had become obsolete, dilapidated and insanitary have been torn down and replaced by larger and loftier buildings of modern sanitary construction. Fully 88% of the houses standing in 1880 were 1-story or 2-story buildings. By 1927, the proportion of such buildings had decreased to 70%, while during the same interval the percentage of buildings more than 3 stories in height had risen from 4.9% in 1880 to 19.6% in 1927.

Fund". To this fund accrue the receipts from the sale of building sites and unimproved land acquired by the city through purchase and condemnation. For improvement purposes this building fund was supplemented in 1870 by a lottery loan of 24,000,000 guilders (\$12,000,000), and further supplemented in specific instances by assessing property owners on the unearned increment of their property.

In normal times building activities keep pace with the development of the city. Building construction and the uses to which new buildings may be put, along with town planning development, have been dealt with in new laws that take fully into account the hygienic and other demands of a modern city and go a long way towards preventing the creation of new slum districts and the deterioration of existing ones.

The city concentration—which so often in the older cities is accompanied by the rapid deterioration of the dwellings in the heart of the town—developed only in the last few decades in Budapest. The evil consequences of such city concentration have been largely prevented by the complete reorganization of the inner city between 1890 and 1900.

There has been little tendency in Budapest towards the occupation of particular districts by certain classes of the population according to their social standing and financial resources—such as obtains in many other large cities. In most of the sections and streets and even often in individual apartment houses, diverse classes of people will be found residing side by side. This is largely because of the diffusion of the places of employment throughout the entire city area, with the result that a large proportion of working people live away from the places where they spend their working hours.

### BAD HOUSING CONDITIONS EXIST

In Budapest there are no quarters composed entirely of obsolete, dilapidated and overcrowded blocks in which all the houses are ripe for demolition and where all the occupants would have to be rehoused elsewhere. This does not mean that in the vast sea of houses in the capital there are no individual houses or groups of houses whose condition calls for prompt intervention on the part of the authorities.

Such conditions were brought into being by the war and the developments of the post-war period. Not only the erection of new buildings but the rehabilitation of neglected residences has been at a stand-still for many years. In 1925, a moderate improvement was effected by the intervention of the State and City governments, but prior to that time the stand-still referred to was general and the condition of the older dwellings deteriorated to a marked degree. The authori-



ties who had building and dwelling matters in hand frequently had to refrain from strict enforcement of the regulations; and in consequence not only was there a decided increase in the number of formerly habitable houses falling into decay, but there was an enormous multiplication of basement and cellar lodgings and cheap sleeping places, accompanied by general congestion.

This meant in innumerable cases overcrowding of the worst kind, insanitary conditions, conditions conducive to immorality. While for example the percentage of basement dwellings was less than 1% in 1906, it had increased to 2.8% by 1925. In that year, 8.5% of all the dwellings in the city were overcrowded\*—that is more than 5 persons to each room; and in 2% of the occupied dwellings each room harbored more than 8 people.

### SHACK COLONIES

Moreover, many very poor people—more particularly the wandering hordes who came to us during the war and thereafter from districts that had been cut off from us; people who could find no living quarters on account of the scarcity of dwellings and lack of funds—took matters in their own hands and settled down in wooden huts, barns and sheds unfit for human habitation for any length of time, constructed without permission from the authorities, with no regard to the regulations, liable to collapse at almost any moment. These colonies of huts and hovels frequently developed into full-sized settlements.

In the emergency shelters particularly overcrowding, insanitary conditions and conditions conducive to immorality developed to such an extent that the authorities were called upon to intervene with promptness and energy and in 1926 to 1929 the capital city cleared up this intolerable state of affairs. Plainly and simply constructed emergency dwelling quarters were erected, permanent in character and thoroughly sanitary and were rented at low figures, frequently below a reasonable return on the cost of construction—the rentals ranging from 1.60 to 5 pingos (30 cents to 95 cents) per week, according to location and equipment. Up to the present time, 776 of these buildings have been erected. In these as well as in other multiple-dwelling houses erected by the community the homeless have been housed. The provisional shelters that this new construction replaced were promptly demolished to preclude any recurrence of the previous conditions.

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\* A dwelling is regarded as over-crowded if there is less than 32 square feet of floor space, or less than 353 cubic feet of air space for each adult occupant.

## IMPROVEMENT OF INDIVIDUAL DWELLINGS

The public health law provides that the authorities of first instance—in Budapest the District Officials—must prevent the overcrowding of small living quarters. In matters pertaining to cleanliness and the maintenance of sanitary conditions, these authorities exercise supervision over all buildings used for residential purposes. The construction of new dwellings must conform to the building regulations and building permits must be secured. New living quarters cannot be occupied until an occupancy permit has been issued. The authorities may order immediate vacation of dwellings dangerous to health—especially at the time of an epidemic. The same applies in the case of houses in danger of collapse. Dwellings certified as unhealthy must be rebuilt by the owners within a year's time or altered and repaired in a way to meet sanitary requirements. If this is not practicable, their occupancy is prohibited. If the insanitary conditions continue, condemnation proceedings must be instituted and the evil done away with entirely.

The penal code provides a maximum jail sentence of one month with a maximum fine of 200 guilders (\$80) for any owner who fails within a given time to comply with an official order to demolish a house in danger of collapse or who neglects to repair a house on demand, or fails to comply immediately with orders based on regulations pertaining to the safeguarding of life.

## SYSTEMATIC SANITARY SUPERVISION

These laws and ordinances designate the District Department as the initial authority competent to act in health matters. In this capacity the Department's functions call for continuous supervision and investigation of the sanitary condition of buildings, courts, living places in general, hotels, shelters, stables, drains, cesspools, comfort stations, wells, etc., and the Department is called upon to see to it that these buildings and installations are kept in a condition meeting all sanitary requirements. For this purpose, the department is authorized to carry out inspections and investigations and to do so even at night in times of epidemic or threatened epidemic.

Every District Department maintains a card-index health record of all houses and buildings in its district to ensure thoroughness in the supervision and inspection work referred to. In these records are inscribed in each case in chronological sequence the findings of the investigation, the character of such orders as may have been issued, the

owner's compliance or non-compliance with them and the penalty indicated for non-compliance. In addition, special records are kept of overcrowded living quarters and basement dwellings, classified under three headings according to whether they are satisfactory, passable or dangerous to health or morality. The supervision is effected by the medical officers of the district, who are required to inspect all the buildings and installations previously enumerated at least once each year between the Spring and the Fall and to do so without waiting for complaints to be lodged and without giving notice of impending inspection.

In cases where a complaint has been filed, information lodged or suspicion actively aroused, more frequent inspections must be made. Additional information on the sanitary conditions in the district is gathered by health inspectors who, acting upon instructions from the medical officers, examine into the condition of houses under suspicion from the sanitary point of view. They immediately report their findings to their superiors and the medical officers are then called upon to inspect the houses and to institute such remedial proceedings as may be appropriate. The medical inspection goes into such points as location, cleanliness, dampness, light and air. In the case of overcrowded dwellings the report includes data on the dimensions of the rooms and the number of occupants. In the case of public lodging houses and shelters, it indicates whether all the local or other ordinances pertaining to the conduct of such places are strictly complied with. If everything is all right, a report to that effect is entered on the card. In the case of any non-compliance with health regulations, the chief official of the district is immediately notified.

Where only minor defects come to the notice of the medical officer he will, as a rule, give the owner verbal notice to remedy them within a given time. If this notice is ignored, the chief district official will cause a written order to be served on the landlord, calling on him to make the necessary improvements. Should the inspection reveal serious defects the owner of the property is summoned to appear before the head of the district department and after the hearing a written order is issued calling on the owner to put the property in order within a given time. In the case of non-compliance with this order, legal proceedings are taken on the ground of contravention of sanitary laws and if the owner is found guilty he is liable to fine or imprisonment. In addition, the property is put in good condition by the authorities at the owner's expense and payment therefor collected through the usual channels of administrative procedure. The District Department makes a report



to the Chief Medical Officer of the city—the highest expert authority—on every major sanitation order issued within its jurisdiction.

### OVERCROWDING DEALT WITH

The ordinances relating to overcrowding require that for each adult there must be a minimum of 32 square feet of floor space and 353 cubic feet of air space in the sleeping quarters. Children under 6 years of age call for one-third and children between 6 and 14 call for two-thirds of these requirements. Anything less than these minimum dimensions constitutes overcrowding. Supervision by the medical officers of the district is for the purpose of preventing overcrowding and they are, therefore, under the necessity of making sudden inspections at night, sometimes with the assistance of the police, as a preliminary to the issue of the necessary orders. Anyone guilty of overcrowding through subletting to lodgers is liable to a fine. A third conviction results in the compulsory vacation of the premises which must then remain empty for a period of a year.

### BASEMENT OCCUPANCY

Basement dwellings are permitted if they measure at least 9.4 feet in height, and if half of that height is above the ground level. For each 100 square feet of floor space there must be at least one window, measuring not less than 4.3 square feet and opening on the street or on a clear and cleanly court. The walls must be dry, the flooring sound and there must be a stove, a kitchen and a secure stairway. Occasionally, the occupancy of basement dwellings is permitted even if they do not fully meet the above requirements, provided they measure at least 8.4 feet in height and provided also that they can be improved within a year in a manner meeting the further requirements. If this is not done, the premises must be vacated immediately upon the expiration of the year of grace.

For the purpose of illustrating the official activity of the health supervisors, we cite the following data. During 1928 the medical officers of the 10 districts made 23,673 inspections of dwellings. Defects were reported in 4656 instances; repairs and improvements were ordered in 2887 cases; in 265 cases, occupancy was forbidden. In their report were included six "wholesale" lodging places, 579 cases of overcrowding and 1037 basement dwellings.

## EXPROPRIATION

Expropriation plays such an important and radical part in the clearance of slum areas and dwellings that we consider it necessary to discuss briefly the law that bears on this subject (G. A. 41 of 1881).

Expropriation takes place exclusively in the interests of public welfare and in specific cases determined by law. These specific cases in Budapest are the creation of new alleys, streets, and squares; the adjustment of existing alleys, streets and squares; the erection, enlargement and rearrangement of buildings and institutions that serve, among other kindred spheres of usefulness, public affairs, health, commerce, public safety and traffic objectives, and cultural and artistic aims and purposes. To this list should be added (by virtue of G. A. 14 of 1876) the expropriation of dwellings that are dangerous to health and beyond the possibility of reconstruction and (by virtue of G. A. 51 of 1921) the expropriation of sites needed for the building of small dwellings or tenement houses.

In all building operations, public or private, the owner must conform to the existing building regulations and avoid encroachment on building lines. Where a landowner has to relinquish part of his land for the purpose of a street, alley or square, the land surrendered becomes the property of the community and the town is under obligation to pay the full amount of its estimated value as soon as the new building is erected. If, on the other hand, in order to conform to building lines the landowner must take over a portion of the old alley or street or square and incorporate it in his holdings, this additional area automatically becomes his property and he must pay to the town in cash the assessed value of the newly acquired land, before construction work is begun. The land values are either agreed upon by the parties or are arrived at through condemnation procedure or by judgment of the civil courts.

## POOLING OF PROPERTY

So far as Budapest is concerned, expropriation is in order in the case of sites and buildings that do not meet the requirements of desired public purposes when full or partial readjustment of streets, alleys and squares is planned, as well as buildings that violate building lines. In these cases expropriation may ensue if the owner fails to carry out a binding agreement duly recorded in the land register under which he pledges himself to erect, within three years, new buildings meeting the requirements referred to, or to reconstruct his building to conform

to the building line, as the case may be. Further, if the condemned ground is not entirely utilized in the reconstruction or adjustment work planned by the city and it lies on a thoroughfare or public square, but owing to its size or shape is unsuitable for the erection of a building, then the authorities may condemn an adjoining piece of property and combine the two pieces. An exception to this is when one or the other owner of adjacent property is willing to increase his holding by taking over such piece of land at an assessed value. Where both neighbors express their readiness to acquire the piece of ground, preference is given to the owner whose property has the smaller area or a smaller frontage on the street.

Where condemnation proceedings have been instituted against only a portion of a property the owner has the right to demand the expropriation of the entire property if, in the first place, the property is located in an outlying section of the town and is likely to become useless through such partial condemnation; or where the portion to be condemned does not exceed one-fourth of the area of the ground remaining; or when the property is located in the inner city and the site or building to be condemned forms part of a group of factory buildings or other buildings serving industrial purposes and the conditions are such that a partial condemnation would render impossible the continuance of the existing undertaking; or if partial condemnation would prevent the owner from further exercise of privileges or further conduct of a business dependent on his holdings; or if this would be possible only at very considerable expense. In the last two cases named the right to demand total expropriation is lost to the owner if the authorities offer:

(1) To augment the site by adjacent ground in such manner that the original site, even after a portion of it has been expropriated, retains its suitability for the purposes for which it was developed; or

(2) To replace the condemned building by a similar one, or to pay a full cash indemnity.

The buildings on a site to be condemned, together with all out-houses and installations located on the site, are included in their entirety in the condemnation.

### THE BASIS OF COMPENSATION

Full and true compensation is always paid for expropriated property. The value is determined by agreement or by court proceedings; and such valuation takes into consideration not only the value of the property itself but also the depreciation of the site by reason of its



mutilation as well as the expense of reconstruction necessary to render the property—a portion of which has been condemned—still suitable for its prior use.

The value of the condemned property must be determined on the market value at the time of valuation. The following are taken into consideration in determining value: the net return, local values, rentals, compensation for use and other conditions that generally affect ordinary purchases and sales. On the other hand, the following are not taken into consideration: the owner's predilection for the property to be condemned; or the increased value that he might hope for from possible and future alterations or by reason of the very undertaking that led to the condemnation; or any improvements that the owner may have carried out on his property after notice of condemnation proceedings, unless such improvements would obviously benefit the expropriator as well. In accordance with G. A. 14 of 1893 the increased value resulting from the newly granted tax-exemption of the particular section cannot be taken into account.

We must not omit to mention the principles laid down in G. A. 42 of 1871 and 28 of 1884, in accordance with which owners of houses and sites abutting on either side of the newly finished Grosse Ring boulevard had to pay—upon the completion and opening up of that portion on which the property abutted—the sum of 22 guilders and 13 kreuzer (about \$9) for each 6 feet of frontage, as an assessment towards the cost of condemnation of the property required for the construction of that particular part of the Ring. This may be regarded as a first attempt to make application of the principle of Assessment for Betterment in the City of Budapest.

### PREVENTIVE MEASURES

As measures to prevent the growth of future slums, the following may be mentioned: the systematic application of rational principles of town planning and town expansion; consistent, normal and sane building activity; encouragement of private building enterprise and improvement of faulty methods by intervention of the State and the towns; a rational land policy; suitable purchase and sale of sites and connected areas; their development; taxation of ground inadequately developed; and an intelligent appreciation and understanding of the increase in values resulting from public measures.

All this depends, of course, on financial means and these in turn depend on normal economic conditions. Our Capital has to the best

of her ability and power fulfilled her duties in regard to town planning and housing in the days of peace, as well as in recent years, and has thereby served the cause of slum eradication. During the years from 1910 to 1929, the city has provided newly-constructed accommodations for 11,152 families. It is only through an improvement of conditions in Hungary and Budapest that we can expect our intense desire for betterment to produce still greater results.

# THE ABOLITION OF SLUMS IN ITALY

*By* DR. VIRGILIO TESTA,

Secretary General of the National Town Planning Institute, Rome.



Slum clearance has been given serious study by Italian communities for a long time and many of them have adopted measures likely to lead to a complete solution of the problem. The application of these measures is complicated, however, not only by the danger of too sweeping transformation in the aspect of quarters of great historic interest and artistic charm, but also by the different kinds of houses that may be declared unfit for habitation. There are many ancient structures built in accordance with the hygienic standards of their time that in the course of years have suffered alterations and changes of one kind or another which have made them uninhabitable; and there are many others in which all observance of sanitary principles was lacking at the time of their erection. The measures to be applied to these quite diverse groups naturally differ radically.

Houses of the first named type abound in the older cities and towns, where certain quarters built in accordance with the exigencies of the urban life of their day, and offering, for example, little opportunity for the free movement of traffic, have been gradually surrounded and almost smothered by quarters conforming to more modern requirements and developed with a clear realization of present-day needs. This has given rise to a movement of population resulting in the withdrawal of families who could afford to live in the more modern sections, who have been replaced in their former homes by families of more humble station. This has brought about the serious deterioration of the older quarters, through the neglect of the new inhabitants, and also because of the increase in the number of families now living in each house—a process inevitably leading to overcrowding, which is always a primary cause of insanitary conditions. Aside from this, no serious attempt was made in the past to control construction. In certain districts—of minor importance so far as the necessity of securing facility of traffic movement was concerned—houses were permitted to be built quite haphazard and without regard to any carefully studied principle. The result as we should expect has been huddled groups of buildings—one crowded against another, in deplorable condition from a sanitary point of view—and the development of entire districts of



most primitive kind destined ultimately by the march of progress and city expansion to become centres of infection in the very midst of the city population.

Accordingly, laws have been enacted which seek to halt the serious consequences of such developments through provisions in the town plan. An Act passed June 25, 1865, conferred on all communities of 10,000 population and over the power to set up improvement plans—not only to meet the needs of traffic but also to give control over sanitary conditions in dwelling houses. By these means the necessity of controlling the construction of houses with a view to securing proper sanitary conditions, was established, but no steps were taken to improve the entire insanitary quarters, as the law applied solely to the alteration or construction of streets in the heart of cities and gave the communities no power to enforce the improvement of houses that did not happen to front upon those particular thoroughfares.

#### SLUM IMPROVEMENT IN NAPLES

The legislators were shocked into action when the cholera epidemic broke out at Naples some years ago. The ravages of the plague emphasized the urgent need of comprehensive improvements and of reconstruction work in those quarters where overcrowding and the bad state of the houses had facilitated the spread of this dread disease. It was realized that town plans dealing merely with the construction or alteration of thoroughfares would not permit the elimination of slums, and that it was necessary to confer sweeping powers upon the municipal authorities, if any real results were to be achieved.

By virtue of a law enacted January 18, 1885, the communal administration of Naples was permitted to formulate and submit for governmental approval a comprehensive plan embracing improvement work for the city as a whole. This plan covered not only the demolition work called for by the opening of new streets and the freeing of healthful houses from the strangling embrace of neighboring slum conditions, but presented also a group of measures for the general improvement of the city. Among these were the destruction or reconstruction of insanitary houses; the elimination of wells certified as dangerous to health; the reconstruction of sewers, drains, etc.; and supervision of the potable water supply.

The law contained many provisions tending to aid in the carrying out of these measures; for example, (a) the issue of bonds to finance such undertakings; (b) tax exemptions in favor of houses improved or restored; (c) facilities afforded by the Credit Institutes, authorized

to extend loans up to 60% of the value of properties; (d) a precise definition of the principles to be followed in arriving at the amount of compensation payable to owners of houses to be torn down—this to obviate such delays as might otherwise arise in the execution of the work through the slow process of the expropriation ordinance. With the same end in view, the principle was laid down that the carrying out of this work should not be deemed to affect existing leases or contracts.

### WORK IN OTHER CITIES

The law of 1885 contained a provision by which other cities might be granted similar powers. Those that took advantage of this privilege were, however, not numerous; for there was no such urgent need with them of radical improvements. On the other hand—even where the improvement work was of a different character than the law contemplated—there was a wide application of the new provisions relative to the determination of compensation. The new law offered decided advantages to the local administrations as it permitted a more rapid procedure and resulted also in lesser compensation to owners than had obtained under the indefinite and ambiguous provisions of the earlier law (Act of 1865).

One method considered as a means of getting rid of insanitary districts was by encouraging the erection of cheap dwellings for the working classes. In a number of laws adopted between 1903 and the present time large powers in this direction have been conferred upon communities in Italy. A law enacted March 23, 1919, gave communities the right to condemn insanitary properties where an owner is not able or is disinclined to undertake the improvements ordered. Under these powers a community may get rid of its slums even without the aid of a town comprehensive plan, by itself carrying out the work where the owner after due notice refuses or neglects to do it. This method, however, does not result in the regeneration of whole districts. That can only be attained by a comprehensive and well coordinated plan that includes all the elements essential to a general improvement of the slum district.

Cities have preferred therefore to arrive at their improvement goal through the adoption and execution of general improvement plans and by resorting to expropriation on a scale that includes all insanitary buildings. This has made possible the solution of problems to be dealt with from an artistic point of view as well as questions of merely a sanitary character, and has led to results that could not have been

achieved by the demolition and reconstruction of individual buildings alone.

The execution of such projects, however, imposes heavy burdens on the local authorities and as their budgets cannot always bear such a burden it may be preferable, from the point of view of rapidity of action, for a community to enlist the interest of private enterprise. In quite a number of cases communal administrations have considered it wise to accept the offer of certain companies and organizations to carry out the demolition and reconstruction along the lines laid down in the town improvement plan. In such cases compensation is paid by these corporations who become the owners of the lands comprised within the new network of streets.

Expropriation compensation is offered by the community to the owner, who may refuse it if he considers it less than the value of his property. In that case the matter is referred to an expert named by the Tribunal and his decision may be appealed to the Tribunal itself, by either the local authority or the owner, unless they come to an agreement out of court.

It often happens that these improvement projects are hindered—or even rendered impossible of execution—by the necessity of providing living quarters for the families dispossessed. Until recently the housing shortage operated to prevent demolition programmes that could not be counterbalanced by a corresponding amount of new construction. To obviate this difficulty the local authorities have in several cases given the work of building new districts to companies who agree to put up houses for the evicted slum dwellers. Where the local authorities have undertaken demolition work they have constructed dwellings for rehousing those dispossessed—sometimes by direct action and sometimes through the use of the Institutes for Cheap Dwellings.

## HISTORIC DISTRICTS

The improvement of insanitary districts has been frequently associated with important work that has enriched the artistic and archaeological inheritances of the cities. One may refer to the truly colossal activities undertaken by the Governatorato of Rome in the central part of the city. The improvement of the district surrounding the Imperial Forums and the Capitol permitted the elimination of a nest of slums where numerous families lived under deplorable conditions—conditions which, more than anywhere else in the city, provided ideal facilities for rapid spread of infectious disease.



At the same time, monuments of great historic value have been restored and revealed to the admiration of the entire world. This has been accomplished by carrying out a comprehensive plan of improvements that contained in its wise conceptions the union of factors of majestic beauty with the solution of urgent modern traffic problems.

Many authorities hold that the improvement of quarters of artistic interest should be accomplished by other methods, that is, by carefully avoiding all large-scale demolition that tends to alter or destroy the traditional aspect of the locality. The expediency of getting rid of such buildings as have fallen into a sordid and squalid state is not to be questioned. When old houses are of interest from the point of view of tradition or local color, every effort should be made to effect improvements in them without destroying them, and without replacing them by modern structures contrasting rudely with the ancient nobility of their surroundings. Air and light should be restored to these old houses and they should be freed and delivered from all that suppresses and overwhelms their original grace. In other words, the method that should be employed is the one termed "*diradamento*"—the "clearing up" of structures—a method long championed by a great Italian architectural expert, G. Giovannoni, in his book "*La teoria del Diradamento dei vecchi centri*", "The Clearing Up Theory as applied to Ancient Quarters", N. Antologia, July, 1913. This method calls for the clearing of small detached parcels—leaving open spaces without reconstruction or with very little reconstruction and reducing to a minimum the intrusion of new elements. It also calls for the abandonment of all idea of constructing streets made up of conventional blocks or held to straight lines. These principles have not been applied on any large scale in Italy, but surveys conforming to their spirit have been prepared particularly for the *Rinascimento* Quarter in Rome.

### THE HOVELS

We have already remarked that in addition to the houses that have become insanitary through the passage of time, there are others where such conditions existed from the day of their origin. This refers to those lodgings commonly spoken of in Italy as "*baracche*".

It is the large cities that enjoy the sad privilege of harboring these huts and hovels, for they are not to be found in the smaller centers—except as an aftermath of some disaster, such as an earthquake. They sprang up in great numbers in Rome and in Milan in the first years after the war as a result of the housing shortage, which compelled many families to seek temporary shelter; and as a result, further, of the invasion of the cities by throngs of peasants fired with ambition

to leave the work of the fields and enter upon work in the factories. Finding it impossible to secure regular lodgings, these immigrants ended by putting up shelters and refuges in the outskirts of the cities and in a short time these colonies grew to the size of veritable villages.

Measures of a general character were adopted by the government to put an end to this rush to the cities, which was robbing agriculture of its means of production and leading to idle farms and fields, because of the higher wages that had to be paid for farm labor. These measures helped to hold back this rush toward the cities and to eliminate, in part at least, the causes leading to the development of this type of slum conditions. The local authorities also renewed their watchfulness in preventing unauthorized construction and adopted stringent measures that precluded all possibility of the further erection of these "lodgings of fortune".

However, those which had already been put up ran into great numbers. In Rome there were found to be 5000 of them; in Milan 1500. Action was imperative to deal with this veritable scourge and the local authorities, following instructions from the Prime Minister, came very near complete success by employing the following measures:

(a) They granted facilities to return to the places they came from to families that had recently come to the city and were without work. By giving them subsidies in cash and by other means some of the work-people were induced to go back to the communities they had left, where it was easier for them to find both work and living quarters.

(b) Facilities were extended to the Institutes for Cheap Dwellings to enable them to construct rapidly and in suitable districts, very low priced dwellings to which the families lodged in the hovels were forcibly moved. The facilities extended to the Institutes included grants of building land, direct loans, and subsidies. The total subsidies contributed by the Administration of Rome, amount to 2,000,000 lire per year for a period of 40 years. The same administration has advanced as loans to the local Institute for Cheap Dwellings 50,000,000 lire for the construction of dwellings for the families who had been living in hovels.

(c) When the destruction of the hovels presented itself as an urgent necessity in order to eliminate the danger of the spread of infectious disease, special hostels were erected, conforming to carefully studied sanitary principles, for the temporary accommodation of the families taken from these slum villages. In these they were housed pending such time as they could find regular lodgings. Small houses of a type lending itself to rapid construction were also erected in the outskirts of the city. These undertakings were at times carried out by the local authorities, but as a general rule they preferred to have the work handled by the Institutes for Cheap Dwellings, which assumed also the management of the properties.

(d) Finally, money grants were offered to the owners of the lands on which the hovels had been erected, to induce them to provide dwellings of a more sanitary character for the families living there.

By these means in Rome during the last 2 years, suitable dwellings have been provided for 1500 families who had camped in the hovels. The pitiable economic condition of these people—who may be regarded as a class by themselves—had to be taken into account in setting the rentals for the new living quarters. Owing largely to the help so generously given by the local authorities it has been possible to make these rentals very low.

#### DEMOLITION BY DISTRICTS

In the destruction of these hovels attention was given primarily to those that formed the nucleus of a quarter, in order to completely improve an entire area and to reorganize it in accordance with the general improvement plan of the city. Even while proceeding with energy along these lines, care has at all times been taken to avoid harm to the families affected. Consideration has been given to the bonds and ties that a long sojourn will have established between such families and the quarter in which they have been living. Every effort has been made to respect these ties wherever it is possible to conserve them and in the allotment of the new lodgings every effort is made to ensure that economic hurt shall not be brought upon those whom it is desired to help.

The idea of the simultaneous destruction of all the slums has been abandoned. It would have encountered grave economic obstacles. The process today is rather destruction by districts, starting from the center and working towards the outskirts. At the present time there still remain a certain number of these dwellings, but the most interesting quarters from a historical and esthetic point of view are safe from this time on.

A great work has been carried out in this way and according to plan. It may be emphasized that this has been due in large part to the local authorities, who have courageously shouldered the heavy load of the advances of capital necessary for the erection of the new dwellings, or have guaranteed such loans as have been made to the Institutes for Cheap Dwellings.

The obligation of getting rid of these grave disfigurements of our cities, of doing away with these hotbeds of disease represents, in the eyes of our communities, a debt of honor—a debt they have paid with a spirit that testifies to the great enthusiasm with which the local authorities in Italy have successfully sought in recent years to solve the most complex of the problems of urban life.



# THE ABOLITION OF SLUMS IN GERMANY

*By* DR. JUERGEN BRANDT,  
Oberbaurat, Hamburg.



The restoration of dilapidated privately owned buildings for the purpose of making their living quarters more hygienic was practically unknown before the war and the increased importance of this procedure is directly attributable to the post-war housing shortage. The consideration that it is less costly to protect existing residences from deterioration than to build new ones was undoubtedly the underlying motive for following this course, as long as the shortage of living quarters made it necessary to utilize every residence that was fit for use. At the present time the poorer classes of the population are glad to occupy the older dwellings, as rents are considerably lower there than in apartments in new buildings; the old buildings also are generally closer to their places of work than are the new ones.

The owners of these old homes, however, are seldom in a position to meet the cost of even the most necessary repairs because of the low rental return from these properties and many of these owners are themselves far from comfortably off. But for the war and its consequences many of these buildings would have been demolished in the natural course of events; but in view of the housing shortage such procedure has proved impossible. These considerations have warranted the appropriation, within certain limits, of public funds for the restoration of such buildings, although no permanent improvement has been achieved by this method.

Another make-shift measure is the thinning out of old densely built-over blocks, of sections of the town. This method has been adopted more particularly in those cases where adequate means for improvement operations on a large scale are not available. It concerns itself particularly with the demolition of individual insanitary houses, or groups of houses, frequently, merely by the removal of tumble-down sheds, warehouses, workshops, etc., in congested blocks. The vacant plots are generally used as recreation grounds; and in some instances they are re-leased for building purposes, subject to an adjustment of the front and rear building lines. This permits to some extent more light and a better circulation of air in congested quarters; but it does nothing towards the general elimination of nuisances and insanitary

conditions. The application of this method commends itself only as a temporary expedient and is employed primarily in districts where many buildings of artistic and historic value are located amid poor and overcrowded dwellings from which air and sunlight are shut out. The tendency here is to get rid of individual insanitary dwellings and preserve the buildings of artistic and historic value.

It frequently becomes necessary, for the improvement of traffic, to open a new street or to widen existing thoroughfares, due to the fact that the existing network of streets is inadequate to cope with the requirements of the day. This necessity is chiefly apparent in the heart of the older towns which also present intolerable living conditions. In these instances it is frequently possible to combine with the improvement of traffic facilities the eradication of insanitary and dilapidated houses. The widening of existing thoroughfares necessitates the demolition and reconstruction of at least one outside wall facing the street, and where a new road is opened the opportunity is offered to do away entirely with the rear house.

The most efficient—albeit the most costly procedure—is the destruction of entire sections of the town and their uniform reconstruction, based on entire change of the present street system and in accordance with up-to-date sanitary ideas and modern principles of town planning. For such radical changes the opportunity presents itself most readily where catastrophes, such as conflagrations, earthquakes, inundations; etc., have destroyed entire sections of a town, or where the economic development of a rapidly growing metropolis has converted the center section of the town to purely business purposes, or where traffic facilities have to be increased. The very high cost of such comprehensive improvement makes its adoption in other circumstances a matter of rare occurrence.

### THE ORIGIN OF SLUMS

Where cramped conditions and utterly insufficient traffic facilities have retarded the economic development of certain older sections of a town, so that they no longer meet modern hygienic and traffic requirements—there, as a rule, slums come into being. These are frequently the oldest residential quarters—located in the heart of the city—dating back to the middle ages. The plots, as a rule, are narrow and irregular; they do not permit extensive reconstruction; the streets are insufficient; the admission of light and air to the buildings is defective; and sanitary installations are primitive.

The more affluent tenants, therefore, move to more modern sections of the town; the better class business establishments follow in their wake; the class of population sinks to a lower level; the land values decline; the landowners get poor; the buildings deteriorate, because heavy expenditures for repairs and restoration are not warranted; rentals have to be reduced still further; and in the end it proves impossible to arrest the economic disintegration and downfall of the entire quarter.

At times the existing conditions are further aggravated by floods or inadequate drainage. This process of depreciation may be observed in practically all old towns, though it may not be readily noticed by the layman, extending, as it does, over many decades. The newer cities seldom call for improvement operations. The real objective of rehabilitation, therefore, finds itself in bringing new life to the flow of dammed and stagnant economic development.

#### THE REASON FOR IMPROVEMENT WORK

The reason for improvement schemes may be found in the fact that there develop in some districts centers of danger—social, hygienic, and political—which call for the intervention of the public. In these districts congregate, on the one hand, those ever-shifting elements of the population who shun the light of day, the prostitutes and their followers; on the other hand, poor families live here, and children—a great number of these as a rule. The proximity and propinquity of these widely differing elements result in social conditions of the worst kind.

Official statistics show that in a Hamburg slum a short street—since demolished—harbored 159 children and 123 prostitutes in the closest proximity, next door to each other, or at any rate on neighboring floors. Moreover, in the same street were found 12 dives of the lowest order. Although the Housing Department strove to find other quarters for the families with children, it was very difficult to sever their association with the prostitutes. In several instances parents did not feel inclined to forego the incidental revenue, with the result that they had to be threatened with having their children taken from them.

#### THE COST OF REHABILITATION

The following elements may be regarded as entering into the cost of rehabilitating a slum district; the acquisition of land by purchase or condemnation; the redemption of existing mortgages; the clearing out of buildings by providing other quarters for the tenants; subsidies



to the inhabitants for moving expenses; compensation for loss of business to those tenants pursuing a trade; demolition of the old buildings; construction of new streets with all their attendant sanitary and public utility requirements; the levelling and, where necessary, the filling in of lands; costs connected with the resale of newly acquired territory; delivery of mortgages and complementary disbursements on new buildings; and last, but not least, loss of interest and rental revenue during the process of rehabilitation.

These expenditures are offset by comparatively small receipts from the sale of land and by the newly created tax values. They are further reduced in cases where for social or welfare reasons the land is not sold outright but is disposed of with the option of re-purchase, or on a leasehold basis. Even where new business premises are erected in the place of the former buildings, public contributions are necessary. The opening of the *Moenckebergstrasse* in Hamburg—which was carried out during a period of economic ascendancy in the years 1908 to 1913 and as a result of which the old low residences were replaced by large office buildings—required contributions amounting to 2,700,000 marks (\$675,000), the increased value accruing to the sites by reason of a wider scope of exploitation did not suffice to cover the entire cost.

It is a fallacy too, to think that increased values of property alone suffice to permit a systematic widening of streets. The process of widening a street does not create new values in lieu of the old destroyed values; or the new values may be low; and it often takes an extraordinarily long time before the economic development of street frontage activities gets really under way.

The replacement of small dwellings by business premises and residential quarters for the wealthier population was attempted with a view to reducing the public burden. This, however, did not meet with success. It has become generally accepted that private interests alone are not in a position to carry out rehabilitation work, but that public assistance must be relied upon. In many cases construction of underground railways or the expansion of railroad installations have provided the required impulse to bring rehabilitation projects under way.

In order to reduce the amount of the public contributions, efforts have been made to interest private capital in the financing of such projects by forming an association composed of the parties interested, or by having banks and building contractors participate in the reconstruction work. But none of these efforts has been crowned with any degree of success. Finally, another difficulty is to be found in the

rehousing of the evicted population, as no vacant dwellings at reasonable rental figures are available. Consequently, tenants will oppose any steps to remove them to other quarters, by reason of the fact that in their old dwellings they can frequently augment their revenue by subletting to transitory lodgers, prostitutes, etc. During the post-war period the housing difficulties were so acute in Germany that urgently needed rehabilitation work could not be undertaken.

#### THE CARRYING OUT OF SLUM CLEARANCE SCHEMES

The carrying out of the proposed measures varies considerably according to their character.

Expenditure of public funds for the repair of individual tumble-down buildings is justified only where it may be reasonably expected—after the necessary repairs have been made—that these houses will answer their purpose for many years to come. On such buildings numerous loans on reasonable terms have been granted in Germany out of funds accumulated from the house rental taxation—loans in most instances bearing interest at 4% with a long period for repayment of the principal. In some cases, where there is acute poverty on the part of the owner or where it is desired to maintain some institution of value to the general public, no interest is charged, nor outright subsidy granted. Loans are secured by mortgage and the restoration work is supervised to ensure proper utilization of the monies advanced.

The repair of such buildings does not, as a rule, bring about enhancement of their value. Such increase in values may be obtained by converting living quarters into business premises. By this process a new lease of economic existence has been given property on streets heretofore retarded in their progress.

It is necessary for the thinning out of too closely built-over districts to obtain possession of insanitary buildings. This is done most satisfactorily by private purchase or by forced sale. In order to avoid carrying an excessive burden, it is advisable not to acquire the sites until a time when the houses thereon can be speedily removed. Cities such as Essen and Kassel for instance have created open spaces amid closely packed groups of houses by contracting with the owners of the property for the demolition of buildings and outhouses erected in the courts. Where such buildings were used for industrial or commercial purposes their removal involved considerable difficulties. It is an open question whether it is not more desirable to create a park of substantial size rather than to lay out individual gardens and playgrounds for

children in the midst of densely built-over areas. Thoroughly satisfactory conditions can only be obtained by measures that are not only systematic but comprehensive.

Another kind of difficulty arises where many structures of artistic and historic significance are located in the districts to be rehabilitated, or where the entire district by virtue of its architectural interest and charm should be preserved with its network of narrow and meandering streets intact, as a unique and representative monument of historic interest to posterity. The southern portion of the "Old City" in Frankfort-on-Main between the cathedral and the "Roemer" is an example in point. In order to retain for such sections of cities the contemplative atmosphere of past centuries attempts have been made to lead traffic a roundabout way. And for the purpose of relieving the congestion of buildings and improving housing conditions, some of the structures in the courts have been removed, bathrooms and modern systems of sanitation installed in the houses, and rooms with insufficient air and sunlight closed permanently. It has been possible at times and in conformance with a systematically developed programme, to demolish insanitary houses or groups of houses in order to ensure free access of air and light to others, thereby according open surroundings to the historic edifices and affording some improvement in the street layout. The experiment of modifying the ancient heart of the city while preserving the elements of historic interest was ventured in Cologne and also in Muenster.

In connection with the widening of streets or opening new ones it is necessary that a building line survey or a definite lay-out of construction boundaries be prepared in advance and in accordance with the appropriate and existing provisions of law. The plans drafted in the course of this work will serve as the basis for the issue of all building permits. Substantial alterations or extensions of buildings may not be made if such changes would entail contravention of the projected building line.

It will mean a very considerable delay if it is left to the owners of property to demolish their old dwellings as they see fit. Further difficulties are encountered where in the process of street widening parcels of land remain no longer suitable for independent construction purposes. Hence, if a town attaches importance to the immediate widening of a given street it will do well to acquire all the necessary sites, especially as it will have to pay compensation, in any event, for the land that must be taken for street purposes. Efforts to secure voluntary cooperation on the part of all owners concerned are wrecked



as a rule by prejudices or obstinacy of one or more of them. The purchase out of hand of land required for street construction purposes is facilitated by the fact that the street widening plan has put the city in a position to expropriate, if necessary, all the property needed for its carrying out.

Similar methods are adopted where entire sections of a city are to be demolished and reconstructed. The establishment of a lay-out of construction boundaries does not differ in its essentials from the surveys prepared for street widening. Similar building restrictions may be imposed. All sites are assembled and reapportioned. Efforts should be made when rebuilding to substantially reduce the crowding of buildings. Some of the poorer residential districts have disclosed conditions of overcrowding to an extent as great as 400 persons to an acre. With new construction the number of residents per acre should not exceed 60 to 80 and the built-over land should represent not more than 15 to 20% of the entire area. It is further desirable to establish recreation grounds on a scale based on an allowance of 1 acre for each 400 in population.

Suggestions have recently been advanced to erect modified skyscrapers on the territory that has been cleared, in order to rehouse the original number of people under better light and air conditions. Apart from any other difficulties that may result from the construction of these lofty buildings, the danger of an excessive concentration of business traffic during limited periods of time should not be overlooked.

#### LEGISLATIVE MEASURES

In order to reduce the cost of rehabilitation to a minimum and to ensure prompt and uninterrupted rebuilding, legislative measures are called for, providing for the condemnation of entire districts and for the compulsory reapportionment of building areas. The so-called District Condemnation Acts are fairly common in foreign countries, but German legislation has unfortunately not fully adapted itself to the need of an adequate condemnation law. National laws on this subject have not yet come into being. Under the laws dealing with expropriation in the various states, only the land required for streets or unimproved land may be taken. The condemnation of improved sites has not yet been generally covered by appropriate legislation.

According to the Prussian Housing Act of 1918 (Art. II), the Minister of Public Safety may authorize expropriation where such procedure is necessary for the improvement of residential sections. In practice, however, the authority to expropriate is accompanied by

so many difficulties and complications that it is practically unused. Expropriation for the purpose of rehabilitation can lead to success only where it is permissible to condemn property still in good condition but indispensable for the comprehensive carrying out of a proposed plan. It is doubtful whether the Housing Act admits of such an interpretation. The proposed Prussian Town Planning Act adopts the general principle of Article II of the Housing Act without granting full recognition to the necessities of the situation and the fully-justified wishes and needs of Prussian communities.

In Saxony and Wurttemberg the opportunities for obtaining authority to condemn property are more favorable. Here also the question as to whether it is permissible to expropriate property still in good condition has not been definitely determined. In the remaining German States legislation in regard to expropriation is altogether inadequate.

It is only in the Free Cities of the Hanseatic League that for each individual case a special law may be enacted by which the condemnation law is extended to include the simultaneous expropriation of all properties that are essential to the efficient carrying out of a general improvement plan.

We cannot dwell here in detail on the question of compensation although the cost of paying compensation is frequently the deciding factor when the fate of an improvement plan is hanging in the balance. According to law, the amount of compensation is determined by the market value of the land and buildings. All efforts to establish a more advantageous basis of computation have so far proved unsuccessful. It is possible, however, under existing laws to have uninhabitable dwellings closed by the police; and such buildings when subsequently taken will command a reduced figure. Full market value has at all times to be paid for the land itself.

## FINANCING

The funds required for the restoration or demolition of individual buildings at the present time in Germany may be obtained out of the revenues derived directly or indirectly from house rental taxation. It is far more difficult to obtain the necessary funds for improvement plans on a large scale. These necessitate loans as a rule and the newly created values are insufficient to meet interest requirements. Efforts have been made to secure additional revenue by inducing owners of adjoining properties to shoulder part of the cost of purchase. However, this method has not been entirely successful. Improvement

projects on a large scale are and will remain for years to come a necessarily subsidized proposition; and for this reason they are risky affairs except in large cities where rapid economic development is assured.

### SOME EXAMPLES

Prior to the World War important rehabilitation work was carried on in practically all of the larger cities. Most important and most widely known are the operations in the cities of Stuttgart, Strassburg, Frankfort-on-Main, Cologne, Berlin and Hamburg. During the post-war period radical improvement operations have been planned everywhere but their execution has been frustrated, on the one hand, by the distressing economic conditions, and on the other hand by the acute housing shortage. In isolated cases antiquated residences were purchased and demolished by private interests with a view to erecting large business buildings on their sites. This was done for instance in Stuttgart, Lubeck and Hanover. The towns in each of these cases helped in securing living quarters for the tenants who had been dispossessed. As a general rule, however, only those residences were vacated which threatened to collapse. Altona has made strenuous and comprehensive efforts to improve living conditions in the old section of the town by creating recreation grounds and open spaces in the most densely built-up districts and by improving the street plan. Frankfort-on-Main has greatly improved the streets and squares in the slum districts without being able, however, to do away with the old residences.

It is to Hamburg and Berlin that we must turn for the only comprehensive rehabilitation programmes actually carried through to completion. Even prior to the war, Hamburg had outlined two large districts to be rehabilitated—the southern part of the New Town and the northern section of the Old Town. In the former district efforts were made to induce the population to remain in the district by offering them new buildings on the old sites. This aim was not realized. When reconstruction was undertaken in the Old Town a wide thoroughfare was constructed between the City Hall and the Main Railway Station and rapid transit was provided by a new branch of the subway system, under this Avenue. The new thoroughfare was flanked on either side by large and newly constructed office and business buildings. Following the end of the war, the rehabilitation of the southern part of the Old Town—comprising an area of over 21 acres—was proceeded with along the same lines.



Living quarters to the number of 1120 had to be vacated and housing for 3900 people found elsewhere. New buildings for this purpose were erected in the more outlying sections and the old buildings were entirely removed. Building operations on the cleared site were begun in 1923 with the erection of imposing office buildings. In replotting the land and to meet the requirements for increased traffic, provision was made for wide streets and spacious squares. For this purpose 43% of the entire area was reserved, and barely 10 acres remained as building sites proper. For financial reasons it has so far been impossible to tackle the fourth slum district, *i. e.*, the "Gängeviertel" in the New Town.

Berlin has in the meantime completed the improvement of the "Scheunen" section which undertaking was inaugurated in the nineties. The demolition of the old residences and the construction of new streets had been completed before the outbreak of the war. Reconstruction work began with the building of the Theater der Freien Volksbühne on the Buelowplatz. The sites adjoining the theatre are reserved for municipal edifices. The remaining construction, characterized by imposing mansions and business buildings was completed during the post war period.

# THE ABOLITION OF SLUMS IN FRANCE

By GEORGES RISLER,

President of the Musée Social, Paris.



It is my privilege, first of all, to congratulate the International Federation upon its including among the main subjects for discussion at this Congress, the Abolition of Slums.

It is not for the edification of an assemblage so well informed on the subject that it is necessary again to expatiate upon the evils of the slums. It is however, not a useless undertaking—if one wishes to arrive at really decisive results—to recall the attention of the world generally to the ravages wrought by the slums, especially among the people of the greater cities. The evils should be cried from the rooftops, that all the world may hear and may come to feel and fully realize the urgent need of remedy and that the result may be the eventual cauterizing of a shameful wound.

Year by year, tuberculosis piles up its veritable hecatombs; and it is from these halls of death that the evil radiates and strikes down its victims in ever increasing thousands.

These habitations of sorrow and death must be done away with and light and air—the great destroyers of the deadly bacilli—let into them.

We have never ceased to emphasize this in the reports we have submitted each year to the President of the Republic in the name of the *Conseil Supérieur des Habitations à Bon Marché* (the Superior Council on Cheap Dwellings). In July, 1928, at the very moment when the French Parliament voted its approval of the benevolent law which bears so justly the name of its author, the Law Loucheur, we emphasized this necessity.

In our report of July, 1930, to the Superior Council on Cheap Dwellings, we repeated that it is necessary to ensure the healthfulness of living quarters if the general death rate and the infant death rate in particular are to be cut down. "It is necessary at all costs", we said then, "to compel the owners of insanitary dwellings to do away with the conditions of disease which they have imposed upon their tenants".

Let us then declare war on the slum—which, to borrow the phrase of our dear and lamented friend and leader, Emile Cheysson, is the poisoned source from which spring nearly all social miseries.

In all countries and especially during the past few years, a movement favoring the construction of healthy houses for the working classes has been under way; interesting programmes have been formulated and are on their way to realization; charming Garden Cities have come into existence; and many dwellings have been constructed. One cannot do otherwise than applaud this movement. It should be energetically encouraged.

It should not, however, be forgotten that this is only a part of the task awaiting accomplishment. It does not suffice to build sunny homes where work-people can raise healthy families. It is no less a necessity to destroy the unhealthy houses—the infected buildings. This is too often lost sight of; this essential element of a housing programme is too often neglected, and the evil continues its ravages. The bad dwellings too often hold their tenants through inertia; for these people are reluctant to change their living quarters, to move out of their districts, to alter their surroundings even for the sake of living in a more comfortable place—further away from their work perhaps, or perhaps calling for an extra flight of stairs to climb. The one thing to do is to make the slums disappear. It is a question of public welfare, demanding stern methods in its handling.

This Congress should bring to the attention of the competent authorities in every country the necessity of preventing unfortunates from finding such lodgings at their disposal—lodgings they will put up with but in which they will surely die.

#### EXPROPRIATION LEGISLATION

The law of April 13, 1850, relative to the improvement of insanitary dwellings has remained a dead letter nearly everywhere. It is true it advanced the principle that insanitary conditions provide a reason for expropriation, but beyond that it confined itself to the common law provisions incorporated in the Act of May 3, 1841, relating to expropriation in the interests of public use. And co-operation on the part of the municipalities in its application has generally been lacking.

Article 18 of the Public Health Act of February 15, 1902 recognized the right of communities to expropriate properties in the interests of public health, but it conveyed no power to intervene except when the insanitary conditions arose from exterior and permanent causes, the result being that the powers thus conveyed remained somewhat theoretical—and the Article, one might say, has never been applied.

The Act of June 17, 1915, modifying and amending the law of February 15, 1902, no longer drew a distinction between exterior and inte-



rior causes of insanitary conditions. In connection with improvement work, it conferred upon the communities the right to demand the condemnation of groups of buildings, or of districts, regarded as insanitary; and this power of expropriation applied equally to individual buildings, to groups, and to entire districts.

The declaration of the existence of insanitary conditions issues from the Municipal Council, after a hearing attended by representatives of various Councils and Committees, held under the provisions of the Public Health law and the legislation on Cheap Dwellings. The Prefect orders an investigation if the occasion calls for one. The President of the Tribunal causes two experts to be designated—one by the owner of the property to be condemned and the other by the mayor of the community—while a third is appointed by the President of the Tribunal himself.

On the strength of the report resulting from this inquiry, the Prefect issues a declaration of public utility, indicating the particular properties to which expropriation is to apply. The procedure has been simplified so that a declaration of public utility by decree of the Council of State is no longer called for. The remaining procedure follows with some slight modifications the general law procedure of the Act of May 3, 1841 pertaining to expropriation in the interests of public utility and calls for a jury determination of the amount of compensation.

However, the Act of June 17, 1915, introduced one very important innovation in the methods used to arrive at a determination of the compensation to be paid to the owner of the expropriated property. The jury now fixes the money value of the property, after allowing for its insanitary condition, and then must deduct the amount it is estimated it would cost to put the property in good condition. The award payable is equal to the difference between these two figures, although the resulting figure may not be less than the value of the bare land. Other factors may not be taken into consideration in determining the compensation to be paid; no allowance can be made because of the eviction itself. If the building is in hopelessly bad condition, the jury may not allow more to the owner than the value of the land.

The law contains a special provision applying to people who carry on a licensed trade or industry on the premises, the compensation in this case being subject to reduction, if the conduct of the business or industry has directly contributed to the creation of the insanitary conditions. The amount of this deduction equals the monetary benefits secured from conducting the trade or industry to the detriment of public health. In the case of ordinary tenants, the compensation for evic-

tion is arbitrarily calculated on the basis of a quarter's rent and ranges from a minimum of 30 francs to a maximum of 300 francs.

The law of June 17, 1915, covering expropriation in the interests of public health, brought into being some major innovations in the realm of condemnation. On its heels there followed the Act of November 6, 1918, modifying the Public Health Act of May 3, 1841 and introducing expropriation by districts under the general law applicable in expropriation matters, also various changes in condemnation procedure and in the matter of selecting and constituting the jury. "The essential factor of the reforms", according to the declaration of the purposes of the law, "is the power conferred upon the administration to expropriate—in addition to the properties essential to the execution of the undertaking—those properties that are located in the designated district, and the acquisition of which is looked upon as facilitating either the public or private installations or improvements essential to the proper carrying out of the projected undertaking, or as paving the way for buildings of a sanitary or esthetic character, or because there would accrue to the properties a large increment in value through the completion of the undertaking". Thus, the principles applying to district expropriation are given a clear and definite setting.

We should make mention, finally, of a law passed on July 17, 1921, which in certain cases opens a way to avoid the payment of the excessive damages that are sometimes awarded in expropriation proceedings. This law gives to the expropriator the right to renounce and waive the benefits to be acquired through the expropriation, in the event the expropriator looks upon the compensation fixed by the jury as excessive.

#### RESULTS OF THE LAWS

An inquiry conducted in 1929 at the instance of the Ministry of Labor with a view to studying modifications to be applied to the Act of June 17, 1915, facilitating the elimination of insanitary blocks or groups of houses, disclosed the fact that the 1915 law had been applied in only 7 Departments of France.

The City of Paris condemned in 1926 a total of 45 buildings situated in the 18th arrondissement. These 45 buildings contained 322 living quarters occupied by 967 persons of whom the greater number were rehoused in new dwellings erected by the *Office Public Municipal d'habitations à Bon Marché* (Municipal Department for Cheap Dwellings).

In Paris, the demolition of slums is a matter of decided interest, as is fully revealed in the Health Analysis compiled in 1894 by M.

Juillerat. This analysis, the net result of exhaustive research, furnishes highly valuable data with regard to each house included in the survey—height, court dimensions, drainage, cesspools, water supply, wells, cisterns, refuse pits, deaths due to communicable diseases (an item checked up on from day to day), fumigation and disinfection work, with the causes and dates, orders issued by the Bureau of Health and the manner and extent of compliance therewith.

M. Juillerat has made it clear that there exist houses and groups of houses that are veritable hot beds for the propagation of tuberculosis: "Tuberculosis recurs without cessation in these dismal abodes—it comes near to being a permanent institution. . . . One must seek within the house itself the reasons for the persistence of the disease. The causes are not external—they are to be found within the walls of the building."

The health analysis led to the definite conclusion that the houses associated with deaths from tuberculosis were largely concentrated in certain quarters of the city, forming what is termed "*ilots insalubres*" (insanitary islets), consisting of groups of houses in which the tuberculosis death rate is exceptionally high.

In 1905, the Health Analysis Service proceeded to a complete investigation or census of the distribution of tuberculosis deaths among all the houses of Paris—a census which at the time disclosed 6 insanitary "islets". The inquiry was taken up again after the war, in 1919, and the number of insanitary "islets" rose from 6 to 17. According to data filed at the offices of the Municipal Council in 1923, it appears that these 17 "islets" were distributed among 12 arrondissements, comprising 4000 houses and sheltering nearly 200,000 persons. It was estimated at the time that the elimination of these "islets" would call for an expenditure of a billion francs. A very significant fact revealed by the data was that the houses with a high death rate were principally those of the furnished-room variety.

By common accord there has been conceded to the "islet" in the 3rd and 4th arrondissements, bounded by the Boulevard Sébastopol, the rue Réaumur, the rue du Renard and the rue de Rivoli, first place in the ranks of "islets" decimated by tuberculosis. It has been realized that the houses could not be adequately improved and that they should be demolished, their unhealthfulness arising from the narrowness of the streets and the insufficiency of the interior courts. "islet" No. 1 comprises 348 houses inhabited by 12,563 persons. The municipality of Paris is directing its attack first of all against the most insanitary section of this "islet", that is to say against 90 houses in the Saint-Merri



quarter selected by reason of their frightful percentage of mortality arising from tuberculosis. The expropriation proceedings are under way. The expense has been estimated at 19,168,850 francs. The actual expense is sure to run higher, if one may judge from the expenditures already incurred for the expropriation of "islet" No. 9.

We have already mentioned that the city of Paris, in 1926, had for the first time applied the law of June 17, 1915, in condemning part of this "islet" No. 9 (bounded by the rues Championnet, du Ruisseau, du Poteau and Letort) in the 18th arrondissement. The expense, based on the values of land and buildings, was estimated by the Technical Service of the Prefecture of the Seine at 2,498,053 francs. The awards made by the jury ran up to 6,846,510 francs. It has been found that the expense of expropriation differs according to whether the owners, who are free to choose their own experts, are represented by qualified technical experts or by "expropriation agents". In the former case the three experts are, as a rule, fairly in accord on values; whereas in the latter case the estimates of the "expropriation agents" are apt to be double the figure proposed by the expert of the Tribunal. These higher estimates are not without influence on the jury in arriving at the compensation to be allowed.

#### SIMPLIFICATION OF EXISTING PROCEDURE

The Government appointed a Commission to study the question of simplifying existing procedure with a view to facilitating the elimination of insanitary "islets". Adopting as its own the conclusions reached by this Commission, the Government has proposed a law under which is to be retained the triple expert survey preliminary to action by the jury, but the parties will be called upon to select their experts from a list of individuals whose impartiality is not open to suspicion—that is to say to select them from a list approved by the civil tribunal.

The proposed law will tend, in addition, to prevent abuses, and to modify the rules for the fixing of compensation for land and buildings. At the present time as we have already indicated, the jury determines the money value of the property, taking into consideration the depreciation arising from its insanitary condition. The jury then deducts from this valuation the sum that it is estimated would be needed to make the building sanitary. The compensation payable equals the difference between these two amounts, provided it does not bring the compensation below the value of the land alone; and no possibility is afforded of adding any supplementary compensation, or consequential damages arising from the actual dispossessing of the owner.

Thus, as is pointed out in the preamble outlining the purposes of the proposed law, in using the monetary value of the property as a basis for the valuation of the experts and the decision of the jury, an unjustifiable advantage is given the owner in all cases where the value is calculated on the rental income yielded by the property. For this revenue, in the case of overcrowded buildings or in the case of buildings constructed or altered contrary to the regulations, increases in direct proportion to the overcrowding and the insanitary conditions. It is therefore proposed for the future to adopt as a basis for calculating compensation, the value of the property calculated, first, on the value of the land; and, secondly, on the basis of the normal income the building would yield if it were constructed or utilized in conformance with the sanitary and police regulations.

Moreover, the unhealthfulness of a building is not in all cases attributable to failure to carry out certain work. In consequence, the proposed law specifies that a deduction shall hereafter be calculated—either on the basis of the cost of the work judged necessary to put the building in sanitary condition, or on the basis of a coefficient of depreciation arising from age, from defects in maintenance, or from unhealthfulness arising from external causes.

In conformance with an important innovation that will stop the continuance of certain abuses, the second deduction referred to is to be obligatory, if the existence of the conditions is conceded by at least two of the three experts.

The Act of June 17, 1915, fixed compensation for the eviction of tenants at a quarter's rent and within limits ranging from 30 to 300 francs. It is plain that such allowances are decidedly too low. Therefore, under the new law the compensation to be allowed to tenants may extend to an allowance of three years' rental in the case of leaseholders, and two years' rental in the case of tenants occupying premises under verbal agreements.

Finally, and basing its conclusion on the experiences encountered in recent expropriations, the Government proposes that the new law shall call upon the parties to adhere in their offers and claims to the valuations of their respective experts—a provision that will compel the jury in arriving at its decision to take the experts' survey into consideration. According to the text of this law, the offers of the Administration may not be less than the figure submitted by the Administration's expert, and the demands of the evicted owner may not exceed the figure of the expert who represents him.

These provisions are characterized by intelligence and wisdom. It remains to be seen whether, when they have once been adopted by



Parliament they will prove sufficient to put an end to the allowance of excessive compensation by juries—to put an end to the scandalous largess that has been too often distributed. Perhaps, we shall some day arrive at a more radical solution of this problem, in the elimination of the jury and its replacement by a civil tribunal, or even by the President of the Tribunal alone, who will hand down a decision after a hearing at which the three experts will submit their views, along the lines that have just been discussed.

### CONCLUSIONS

Having sketched what has been done and what is proposed for the abolition of slums in France, we will now briefly outline a number of points that we hope may serve as a basis for the work of this Congress.

(1) The organizers of the Congress have rightly affirmed the principle that the slum problem cannot be definitely solved except by a comprehensive policy. It is, in fact, the only way to arrive at a complete solution and to put into effect the various steps in the order of their urgency and in conformance with the methods that experience has shown to be the most practical, the most economical and the most efficacious. Isolated operations generally achieve only imperfect results at the cost of increased outlay—regardless of whether the matter in hand is the demolition or the improvement of insanitary dwellings, the new utilization of sites and lands, or the housing of the evicted.

(2) The procedure for declaring a house unfit for habitation and for following this up by its improvement or demolition is a matter of the first importance. As soon as investigation has revealed the bad conditions—and in this connection the institution of a sanitary census kept continuously up-to-date is decidedly to be commended—one should push rapidly ahead no matter what obstacles present themselves. The procedure adopted in France by the law of June 17, 1915, after much groping around, offers real guaranties—with the several reservations that have been indicated. It permits, according to the necessities of the occasion, the expropriation of groups of properties and of districts recognized as insanitary, as well as the condemnation of individual houses.

(3) The question of expropriation compensation proves in many cases a stumbling block in the path of the best conceived and most meritorious projects. We have sketched the system provided for in the law of June 17, 1915—allowance after a survey conducted by three experts



of compensation equal to the difference between (a) the money value of the property with its insanitary condition taken into consideration, and (b) the cost of the work judged necessary to render the property healthful. According to the suggestions contained in the new law recently submitted to Parliament, it will not be necessary hereafter in determining the value of the property to take into consideration any factor, except the revenue which the property would yield if it were properly constructed and used.

We firmly believe that these provisions, excellent in themselves, will not always prove sufficient so long as the fixing of compensation is left in the hands of a jury composed of owners, prejudiced or easily swayed in their opinions, subject to the most diverse influences and from whose judgment there is no appeal. A forward step would be achieved by replacing this jury with an ordinary tribunal such as our civil tribunals or courts of first instance.

(4) Public authorities, neither the State nor the municipalities, notwithstanding the powers they possess, can by themselves do all that is necessary to get to the root of the slum evil. To attain the objectives of this work—which encounters so many obstacles in its path and which calls for untiring tenacity—the co-operation of many interests is called for. We should endeavor to secure the collaboration of employers who have an obvious interest in seeing to it that their workpeople live in comfortable and sanitary dwellings, and we should turn to the workpeople themselves, who have Societies or Associations for the acquisition of plots and the construction of houses—built at times with the sole resources of their members. We should call to our aid all the institutions of charity and welfare, mutual benefit associations, savings banks, insurance companies, philanthropic undertakings, etc. When the time comes that private initiative takes a hand in the matter, complete abolition of the slums will be on its way towards realization.

(5) Coincidentally with the fight against the slums, should proceed the construction of dwellings destined to rehouse the dispossessed and provided in proportion to their number. Part of the new dwellings erected by the various construction organizations should be reserved for rental to families living in insanitary houses, with the rentals fixed at low figures, proportionate to their means. If, in principle, it is desirable to give them separate houses, it must not be overlooked that in many cases the people who have been living in the expropriated houses cannot move far away from their work. That is the situation that arose in Paris in relation to the inhabitants of “islet” No. 1 who

worked at night in the Central Markets. Separate houses could not be provided for them in the center of Paris and all that could be done was to procure living quarters for them in sanitary tenement dwellings situated as near as possible to their place of work.

We may mention in connection with this particular subject that in extension of its normal programme for providing dwellings at low and moderate rentals, the Municipal Council of Paris decided on July 7, 1930, to erect 20,000 dwellings to ensure living quarters to tenants evicted as a result of municipal construction work.

(6) As for the causes of slums, they are very diverse. But it is above all in the cities that insanitary and overcrowded dwellings are found. And it is particularly in the oldest cities that the tiny courts without light or air abound and the mean streets that are often little more than alleyways. The measures dictated by the town improvement plans hinder the development of new slums, but it is imperative, nevertheless, to keep watch and guard unceasingly, that the rules of health may be rigorously enforced, that tall buildings are not permitted to be erected on narrow streets. All these measures will fail to bring about a complete reform, unless owners are compelled to carry out within their buildings the work that must be done to make them healthful.

It is hoped that these observations now brought to a close will be viewed in the light of an appeal to public opinion to take part—universally and without cessation—in the fight against the slum, and an appeal to the authorities of every country to formulate and establish the necessary laws for the expropriation, improvement, or demolition of insanitary dwellings, and to make full use of such laws once they are established.



